

AGENDA REPORT

City Council

MEETING DATE: August 28, 2019

PREPARED BY: Jace Schwarm, Risk
Department Manager

DEPT. DIRECTOR: Jace Schwarm

DEPARTMENT: Risk Department

CITY MANAGER: Karen P. Brust

SUBJECT:

Consideration of Resolution 2019-74 establishing the Title VI Compliance Program, and adopting the Administrative Policies- G052-Title VI Public Notice; G053-Title VI Grievance Procedures and Form; and G054-Title VI Non-Discriminatory Statement for Publications and Public Notice.

RECOMMENDED ACTION:

Adopt Resolution 2019-74 establishing a Title VI Compliance Program, and adopting Administrative Policies- G052-Title VI Public Notice; G053-Title VI Grievance Procedures and Form; and G054-Title VI Non-Discriminatory Statement for Publications and Public Notice.

STRATEGIC PLAN:

This item is applicable to the Operating Principles of the Strategic Plan, through the development of the Title VI Compliance Program which ensures that services and benefits are provided on a nondiscriminatory basis.

FISCAL CONSIDERATIONS:

No direct fiscal impact.

BACKGROUND:

In addition to the adopted programs for the Americans with Disabilities Act of 1990/Section 504 Rehabilitation Act of 1973 which prohibits discrimination, the City of Encinitas and San Dieguito Water District (City) as recipients of federal funds are required to comply with Title VI of the Civil Rights Act of 1964 (Title VI). Title VI prohibits discrimination on the basis of race, color, national origin, sex, age or disability in programs and activities receiving federal financial assistance and to develop a compliance program.

A Limited English Proficiency (LEP) Plan is also required under Title VI and is already incorporated in the Encinitas Housing Division programs since 2011.

ANALYSIS:

The City has a Title VI Compliance Program in place, which outlines a process for local disposition of Title VI complaints that is consistent with guidelines found in the Federal Transit Administration Circular 4702.1B.

The City has developed a Title VI Compliance Program which includes Administrative Policies G052, G053 and G054 as outlined below:

A. Administrative Policy G052-Title VI Public Notice: (Exhibit A to Resolution 2019-74)

The Public Notice summarizes the City's responsibilities under Title VI; it prohibits discrimination on the basis of race, color, national origin, sex, age or disability in programs and activities receiving federal financial assistance. The Notice alerts the public that any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the City. This policy also designates the Risk Department Manager as the Title VI Coordinator.

B. Administrative Policy G053- Title VI Grievance Procedures and Form: (Exhibit B to Resolution 2019-74)

Administrative Policy G053 establishes the City's procedure for receiving and responding to complaints of alleged violations of the Title VI. The Title VI Grievance Procedure notifies the public of how and where to file a complaint of an alleged violation by the City and informs the members of the public how and when the City will respond to that complaint. The Title VI Grievance Form provides a standardized form for members of the public to submit complaints to the City.

C. Administrative Policy G054- Non Discriminatory Statement for Publications: (Exhibit C to Resolution 2019-74)

Administrative Policy G054 confirms the non-discrimination statement to be used in all City publications, notifications, and forms for the public.

These policies, procedures and forms are consistent with Title VI of the Civil Rights Act of 1964.

ENVIRONMENTAL CONSIDERATIONS:

There are no environmental considerations associated with this agenda report.

ATTACHMENTS:

Attachment 1: Resolution 2019-74 entitled "A Resolution of the City Council of the City of Encinitas Adopting the Compliance Program, Grievance Procedures and Forms, Administrative Policies G052; G053; G054 and the Public Notice Consistent with "Title VI of The Civil Rights Act Of 1964"

Part of Resolution 2019-74:

- Exhibit A: Title VI Compliance Program
- Exhibit B: Grievance Procedures and Forms
- Exhibit C: Administrative Policies G052; G053; G054
- Exhibit D: Public Notice

RESOLUTION 2019-74

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ENCINITAS
ADOPTING THE COMPLIANCE PROGRAM, GRIEVANCE PROCEDURES
AND FORMS, ADMINISTRATIVE POLICIES G052; G053; G054 AND THE
PUBLIC NOTICE CONSISTANT WITH THE TITLE VI OF THE CIVIL
RIGHTS ACT OF 1964**

WHEREAS, the Encinitas City Council adopts the Compliance Program, Grievance Procedures and Forms, Administrative Policies G052, G053, G054 and the Public Notice for the Title VI of the Civil Rights Act of 1964;

WHEREAS, The City Council desires to operate its programs and services without discrimination to race, color, national origin, sex, age or disability; and

WHEREAS, the City Council has reviewed the proposed Title VI Compliance Program, Grievance Procedures and Forms, Administrative Policies G052, G053, G054 and the Public Notice.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Encinitas adopts Resolution 2019-74 which includes the Title VI Compliance Program, Grievance Procedures and Forms, Administrative Policies GO52, GO53, GO54 and Public Notice reviewed by City Council at the City Council meeting and as summarized by Exhibits "A" "B" "C" "D" attached hereto.

PASSED AND ADOPTED this ___ day of ____, 2019 by the following vote to wit:

AYES:

NAYS:

ABSENT:

ABSTAIN:

Catherine S. Blakespear, Mayor
City of Encinitas

ATTEST:

Kathy Hollywood, City Clerk

Exhibit A

Title VI of the Civil Rights Act of 1964 Compliance Program

City of Encinitas/San Dieguito Water District

2019



505 S. Vulcan Avenue, Encinitas, CA 92024

Main line: (760) 633-2600 TDD (hearing impaired): (760) 633-2700

Email: Jschwarm@encinitasca.gov

Introduction

Title VI of the Civil Rights Act of 1964, mandates that recipients of federal funds ensure that services and benefits are provided on a non-discriminatory basis. In accordance with Title VI and all related acts and statutes (Title VI), the City of Encinitas/San Dieguito Water District operates its programs and services without regard to race, color, national origin, sex, age, or disability.

Overview

As a recipient of federal dollars, the City of Encinitas and San Dieguito Water District have prepared a Title VI program to comply with Title VI of the Civil Rights Act of 1964. The City/District's Title VI Compliance Program, has developed a Public Notice and a Grievance Procedure stating that any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the City/District and designated/identified the Title VI Coordinator. The grievant has the right to file grievances directly to the appropriate state or federal agency providing federal financial assistance to the City.


Designation of Responsibility

The City of Encinitas and San Dieguito Water District has designated the following person to serve as Title VI Coordinator, to oversee the City's/District's policies and procedures:


Name: Jace Schwarm

Job Title: Risk Department Manager

Title VI Public Notice



CITY OF ENCINITAS
San Dieguito Water District



TITLE VI OF THE CIVIL RIGHTS ACT OF 1964
TITLE VI NOTICE TO THE PUBLIC

In accordance with Title VI of the Civil Rights Act of 1964 and all related acts and statutes (Title VI), the City of Encinitas/San Dieguito Water District ("City") operates its programs and services without regard to race, color, national origin, sex, age or disability. Title VI and related statutes prohibits discrimination in Federally assisted programs requires that no person in the United States of American shall, on the grounds of race, color, national origin, sex, age or disability be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal Assistance.


Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the City of Encinitas/San Dieguito Water District. Any such grievance must be in writing and submitted to the City's Title VI Compliance Officer within 60 days following the date of the alleged occurrence.

For more information on the City of Encinitas/San Dieguito Water District civil rights program, and the procedures to file a complaint, contact:


Jace Schwarm, Title VI Coordinator
City of Encinitas/San Dieguito Water District
505 S. Vulcan Avenue
Encinitas, CA 92024
(760) 633-2636 (Voice), (760) 633-2700 (TTY), (760) 633-1228 (Fax)
Email: jschwarm@encinitasca.gov

Note that Complainant has the right to file grievances directly to the appropriate State or Federal agency providing financial assistance to the City/District.

If information is needed in another language, contact (760) 633-2636.



CIUDAD DE ENCINITAS
Distrito del agua de San Dieguito



TÍTULO VI DE LA LEY DE DERECHOS CIVILES DE 1964
TÍTULO VI AVISO AL PUBLICO

De acuerdo con el Título VI de la Ley de Derechos Civiles de 1964 y todos los actos y estatutos relacionados (Título VI), la Ciudad de Encinitas / San Dieguito Water District ("Ciudad") opera sus programas y servicios sin distinción de raza, color, nacionalidad, origen, sexo, edad o discapacidad. El Título VI y los estatutos relacionados prohíben la discriminación por parte de entidades que reciban asistencia federal. Ninguna persona en los Estados Unidos sera objeto de discriminacion debido a su raza, color, sexo, discapacidad, edad u origen nacional, en cualquier programa o actividad que recibe ayunda federal asistencia.

Cualquier persona que crea que ella o él han sido perjudicada por cualquier práctica discriminatoria ilegal bajo el Título VI puede presentar una queja ante la Ciudad de Encinitas / San Dieguito Water District. Cualquier queja debe ser por escrito y presentada al Título VI de la Ciudad Oficial de cumplimiento dentro de los 60 dias posteriores a la fecha del supuesto hecho.

Para obtener más información sobre los derechos civiles de la Ciudad de Encinitas / San Dieguito Water District, programa y los procedimientos para presentar una queja, comuníquese con:

Jace Schwarm, Coordinador del Título VI
Ciudad de Encinitas / Distrito del Agua de San Dieguito
505 S. Vulcan Avenue
Encinitas, CA 92024
(760) 633-2636 (Voz), (760) 633-2700 (TTY), (760) 633-1228 (Fax)
Correo electrónico: jschwarm@encinitasca.gov

Tenga en cuenta que el demandante tiene derecho a presentar quejas directamente a la agencia estatal o federal correspondiente que proporciona asistencia financiera a la ciudad / distrito.

Si necesita información en otro idioma, comuníquese con (760) 633-2636.

Title VI Program for City of Encinitas/San Dieguito Water District

The City/District has posted the Title VI Notice at the following locations:

Location Name	Address	Area
Encinitas Civic Center	505 S. Vulcan Ave., Encinitas, CA 92024	Lobby and Community Services Counter
San Dieguito Water District Public Works Department	160 Calle Magdalena, Encinitas, CA 92024	Lobby/Cashier Counter
Community Center Senior Center	1140 Oakcrest Dr., Encinitas, CA 92024	Lobby/Cashier Counter
Fire Station #1	415 – 2 nd St., Encinitas, CA 92024	Lobby
Fire Station #2	618 Birmingham Dr., Cardiff, CA 92024	Lobby
Fire Station #3	801 Orpheus, Leucadia, CA 92024	Lobby
Fire Station #4	2011 Village Park Way, Encinitas, CA 92024	Lobby
Fire Station #5	540 Balour Dr., Encinitas, CA 92024	Lobby
Fire Station #6	770 Rancho Santa Fe Rd., Olivenhain, CA 92024	Lobby
Fire Station #7	1950 N. Coast Highway 101, Leucadia, CA	Lobby

The City’s website will be updated to add the Title VI Public Notice, Title VI Grievance procedures and Title VI Grievance form.

Title VI Grievance Procedures

As a recipient of federal funds, the City of Encinitas/San Dieguito Water District are required to comply with Title VI of the Civil Rights Act of 1964 and ensure that services and benefits are provided on a nondiscriminatory basis. This Procedure describes the process for local disposition of Title VI grievances.

Any person who believes she or he has been discriminated against on the basis of race, color, or national origin, sex, religion, disability, or age by the City of Encinitas/San Dieguito Water District may file a Title VI grievance by completing and submitting the City’s/District’s Title VI Grievance Form. The complaint should be in writing by completing and submitting the City’s Title VI

Title VI Program for City of Encinitas/San Dieguito Water District

Grievance Form. The Grievance Form should be submitted by the complainant or his/her authorized representative as soon as possible but no later than 60 calendar days after the alleged violation to:

**Jace Schwarm, Title VI Coordinator
City of Encinitas/San Dieguito Water District
Risk Department
505 S. Vulcan Avenue
Encinitas, CA 92024
jschwarm@encinitasca.gov
Tel: (760) 633-2636 Fax: (760) 633-2700 TTY: (760) 633-2700**

Within 15 calendar days after receipt of the complaint, Jace Schwarm or her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, Jace Schwarm or her designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the City of Encinitas/San Dieguito Water District and offer options for substantive resolution of the complaint.

If the response by Jace Schwarm or her designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the City Manager, or her designee.

Within 15 calendar days after receipt of the appeal, the City Manager or her designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the City Manager or her designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by Jace Schwarm or her designee, appeals to the City Manager or her designee, and responses from these two offices will be retained by the City for at least three years.

Any Grievant has the right to file grievances directly to the appropriate state or federal agency providing federal financial assistance to City.

Title VI Program for City of Encinitas/San Dieguito Water District

Title VI Grievance Form



City Of Encinitas/San Dieguito Water District
505 South Vulcan Ave
Encinitas, CA 92024
TITLE VI COORDINATOR
760- 633-2636, 760- 633-1228 Fax, 760- 633-2700 TTY

TITLE VI GRIEVANCE FORM

Name:
Address:
Phone Number:
Email Address:

IF A LEGALLY AUTHORIZED REPRESENTATIVE IS FILING THE GRIEVANCE ON YOUR BEHALF, HIS/HER NAME, ADDRESS AND TELEPHONE NUMBER MUST ALSO BE INCLUDED.

Representative's Name:
Address:
Phone Number:
Email Address:

Description of Grievance and Why You Believe You Were Discriminated Against: (attach additional pages if necessary):

Date of Alleged discrimination:

Name of party(s) involved: Include the name and contact information of the person(s) who discriminated against you (if known), as well as names and contact information of any witnesses, if applicable.

If the alleged incident involved a State/Federal agency(s), list name(s):

State requested remedy to your grievance: (attach additional pages if necessary)

Have you previously filed a Title VI grievance with the City of Encinitas/San Dieguito Water District:
[] YES [] NO

Have you filed this grievance with any other Federal, State or local agency, or with any other Federal or State Court? If so, state where?

Signature and date are required below to complete form:
X
Signature (Complainant or his/her authorized representative) Date

Within 15 calendar days after receipt of the complaint, City will meet with the complainant to discuss the complaint and a possible resolution. Within 15 calendar days of the meeting, City will respond in writing and explain the position of the City and offer options for resolution. (See Title VI Grievance Procedures)

Please complete and submit form to:

City of Encinitas/San Dieguito Water District
Attn: Jace Schwarm, Title VI Coordinator
505 S. Vulcan Avenue
Encinitas, CA 92024

~ COMPLAINT CAN BE FILED VERBALLY OR IN WRITING ~
The City of Encinitas is an affirmative action public entity and does not discriminate on the basis of race/color, national origin, sex, religion, age or disability in employment or the provisions of service. Please notify the City of Encinitas 72 hours or more prior to disability accommodations being needed.

Title VI Grievance Procedures (Spanish):

Como recipiente de fondos federales, la Ciudad de Encinitas / San Dieguito Water District debe cumplir con el Título VI de la Ley de Derechos Civiles de 1964 y garantizar que los servicios y beneficios se brinden de manera no discriminatoria. Este procedimiento describe el proceso para la disposición local de quejas de Título VI.

Cualquier persona que crea que ella o él han sido discriminados por motivos de raza, color u origen nacional, sexo, religión, discapacidad o edad por la Ciudad de Encinitas / San Dieguito Water District puede presentar una denuncia de Título VI llenando el Formulario de Queja de Título VI de la Ciudad / Distrito. La queja debe presentarse por escrito ante la organizacion apropiada. Presentando el Formulario de Queja de Título VI de la Ciudad. El reclamante o su representante autorizado debe presentar el Formulario de Queja lo mas antes posible, pero a más tardar 60 días después de la supuesta violación a:

**Jace Schwarm, Coordinador del Título VI
Ciudad de Encinitas / San Dieguito Water District
Departamento de riesgos
505 S. Vulcan Avenue
Encinitas, CA 92024
jschwarm@encinitasca.gov
Tel: (760) 633-2636 Fax: (760) 633-2700 TTY: (760) 633-2700**

Dentro de los 15 días calendario posteriores de la recepción de la queja, Jace Schwarm o su designado se reunirán con el demandante para discutir la queja y las posibles resoluciones. Dentro de los 15 días de la reunión, Jace Schwarm o su designado responderán por escrito y, cuando corresponda, en un formato accesible para el demandante, como letra grande, Braille o cinta de audio. La respuesta explicará la posición de la Ciudad de Encinitas / San Dieguito Water District y ofrecerá opciones para la resolución de la queja.

Si la respuesta de Jace Schwarm o su designado no resuelve satisfactoriamente el problema, el demandante y / o su designado pueden apelar la decisión dentro de los 15 días posteriores a la recepción de la respuesta al Administrador de la Ciudad, o su designado.

Dentro de los 15 días posteriores a la recepción de la apelación, el Administrador de la Ciudad o su designado se reunirá con el demandante para discutir la queja y las posibles resoluciones. Dentro de los 15 días posteriores a la reunión, el Administrador de la Ciudad o su designado responderá por escrito y, cuando corresponda, en un formato accesible para el demandante, con una resolución final de la queja.

Todas las quejas por escrito recibidas por Jace Schwarm o su designado, apelan al Gerente de la Ciudad o su designado, y las respuestas de estas dos oficinas serán retenidas por la Ciudad durante al menos tres años.

Cualquier reclamante tiene derecho a presentar reclamaciones directamente a la agencia estatal o federal correspondiente que proporciona asistencia financiera federal a la Ciudad.

Title VI Grievance Form (Spanish)



Ciudad de Encinitas / Distrito del Agua de San Dieguito
505 South Vulcan Ave
Encinitas, CA 92024
TÍTULO VI COORDINADOR
760-633-2636, 760-633-1228 Fax, 760-633-2700 TTY

TÍTULO VI FORMULARIO DE RECLAMACIÓN

Nombre: _____

Dirección: _____

Número de teléfono: _____ Dirección de correo electrónico: _____

SI UN REPRESENTANTE LEGALMENTE AUTORIZADO PRESENTA LA QUEJA EN SU NOMBRE, TAMBIÉN DEBE INCLUIR SU NOMBRE, DIRECCIÓN Y NÚMERO DE TELÉFONO.

Nombre del representante: _____

Dirección: _____

Número de teléfono: _____ Dirección de correo electrónico: _____

Descripción de la queja y por qué cree que fue discriminado: (adjunte páginas adicionales si es necesario):

Fecha de presunta discriminación:

Nombre de la (s) parte (s) involucrada (s): incluya el nombre y la información de contacto de la (s) persona (s) que lo discriminaron (si se conoce), así como los nombres y la información de contacto de cualquier testigo, si corresponde.

Si el supuesto incidente involucró a una agencia estatal / federal, indique el nombre (s):

Resolución apropiada para resolver su queja:

¿Ha presentado previamente una queja de Título VI ante la Ciudad de Encinitas / Distrito de Agua de San Dieguito:

[] SI [] NO

¿Ha presentado esta queja ante alguna otra agencia federal, estatal o local, o ante cualquier otro tribunal federal o estatal? Si es así, ¿dónde?

Se requiere la firma y la fecha a continuación para completar el formulario:

X _____
Firma (Reclamante o su representante autorizado) Fecha

Dentro de los 15 días calendario posteriores a la recepción de la queja, la Ciudad se reunirá con el demandante para discutir el cumplimiento y la posible resolución. Dentro de los 15 días calendario de la reunión, la Ciudad responderá por escrito y explicará la posición de la Ciudad y ofrecerá opciones para la resolución. (Consulte los Procedimientos de queja del Título VI)

Complete y envíe el formulario a:

Ciudad de Encinitas / Distrito del Agua de San Dieguito
A la atención de: **Jace Schwarm**, Coordinador del Título VI
505 S. Vulcan Avenue
Encinitas, CA 92024

~ LA QUEJA SE PUEDE PRESENTAR VERBALMENTE O POR ESCRITO ~

La Ciudad de Encinitas es una entidad pública de acción afirmativa y no discrimina por motivos de raza / color, origen nacional, sexo, religión, edad o discapacidad en el empleo o las disposiciones del servicio. Notifique a la Ciudad de Encinitas 72 horas o más antes de que se necesiten adaptaciones para discapacitados.

List of Transit-Related Title VI Investigations, Complaints, and Lawsuits:

The City/District has not been involved in any transportation-related Title VI investigations, lawsuits or complaints.

Public Participation Plan:

The City of Encinitas has developed a Citizen Participation Plan that is an outline of the strategies by the City/District to engage the public in projects benefiting the community. The City/District encourages public input, and uses several methods to reach all groups of citizens without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act.

- Public Notices are provided in both English and Spanish.
- Agenda notices of City/District meetings provide contact information for accommodation requests.

The above mentioned agency is an equal opportunity public entity and does not discriminate on the basis of race, color, ethnic origin, national origin, sex, religion, veteran's status or physical or mental disability in employment or the provision of service. In compliance with the Americans with Disabilities Act/Section 504 Rehabilitation Act of 1973 if you need special assistance to participate in these meetings, please contact the City Clerk at 760-633-2601.

- The City provides a Spanish hotline telephone number: (760) 943-2150.
- The City has a list of designated bilingual employees to provide assistance.

OPPORTUNITIES FOR PUBLIC COMMENT:

The City/District solicits public participation in City Council, San Dieguito Water District, various Commission meetings, and special public workshop forums.

City Council/San Dieguito Water District meetings – On the City/District meeting agenda, time is set aside for Oral Communications at each meeting for citizens who wish to address an issue not on the agenda. This is an opportunity for the public to bring to the attention of the Council/Board a matter or matters which do not appear on the agenda. The public can speak and address concerns on any agenda item by submitting a speaker slip to the City Clerk.

Various Commission meetings - The City/District has several Commissions (Planning, Housing, Senior, Youth, Traffic, Environmental, etc.) that shall conduct public meetings to gather information and thereafter make recommendations to the City

Title VI Program for City of Encinitas/San Dieguito Water District

Council on matters regarding services for the City programs/activities. The meetings offer Oral Communications and speaker slips to invite public participation in the meetings.

Public Outreach Workshops - Workshops are noticed on the website inviting public participation. These workshops solicit public input and also solicit input from special groups.

Summary of Purpose of Plan

The City of Encinitas/San Dieguito Water District realize that public participation is the process through which the public along with stakeholders can gather information, encourage dialog, receive feedback and build consensus on projects to best support persons equally without disproportionately adversely affecting human health or environmental impact on minority and/or low-income populations.

Summary of Outreach Efforts

The following is a summary of outreach efforts conducted by the City of Encinitas/San Dieguito Water District as they relate to Title VI requirements.

City of Encinitas Website:

The City has a Title VI of Civil Rights Act of 1964 web page that includes: Title VI Public Notices, Title VI Complaint procedures and Title VI Complaint form.

City Council and various Commission Meetings Open to the Public:

The City holds public meetings on various days of the month, offering oral communication and speaker slips for the public input. The meeting dates and times are posted on the City website: [Agendas & Webcasts](#)

Housing and Community Development Block Grant:

The City publishes a notice of public hearing notifying public agencies, other governmental agencies, nonprofit service providers and other interested citizens to provide input in developing the three-to-five year Housing and Community Development Strategic Plan (Consolidated Plan). The proposed Consolidated Plan is published and a public hearing conducted to obtain citizen comments.

Language Assistance Plan

The City has a Limited English Proficiency (LEP) Plan for our Housing Division that complies with the Executive Order 13166, issued August 11, 2000 mandating the reduction of language barriers which may be in violation of Title VI. See The Housing Division (LEP) Plan on the website with this [link](#).

Designation of Responsibility:

For questions/comments regarding Title VI Civil Rights of 1964 Compliance Program, The City/District has designated the following person to serve as Title VI Coordinator, to monitor the progress and manage review and updates of this document:

Name: Jace Schwarm

Job Title: Title VI Coordinator/Risk Department Manager

Exhibit B

CITY OF ENCINITAS/SAN DIEGUITO WATER DISTRICT TITLE VI GRIEVANCE PROCEDURES

TITLE VI GRIEVANCE PROCEDURES

As a recipient of federal funds, the City of Encinitas/San Dieguito Water District are required to comply with Title VI of the Civil Rights Act of 1964 and ensure that services and benefits are provided on a nondiscriminatory basis. This Procedure describes the process for local disposition of Title VI grievances.

Any person who believes she or he has been discriminated against on the basis of race, color, or national origin, sex, religion, disability, or age by the City of Encinitas/San Dieguito Water District may file a Title VI grievance by completing and submitting the City's/District's Title VI Grievance Form. The complaint should be in writing by completing and submitting the City's Title VI Grievance Form. The Grievance Form should be submitted by the complainant or his/her authorized representative as soon as possible but no later than 60 calendar days after the alleged violation to:

**Jace Schwarm, Title VI Coordinator
City of Encinitas/San Dieguito Water District
Risk Department
505 S. Vulcan Avenue
Encinitas, CA 92024
jschwarm@encinitasca.gov
Tel: (760) 633-2636 Fax: (760) 633-2700 TTY: (760) 633-2700**

Within 15 calendar days after receipt of the complaint, Jace Schwarm or her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, Jace Schwarm or her designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the City of Encinitas/San Dieguito Water District and offer options for substantive resolution of the complaint.

If the response by Jace Schwarm or her designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the City Manager, or her designee.

Within 15 calendar days after receipt of the appeal, the City Manager or her designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the City Manager or her designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by Jace Schwarm or her designee, appeals to the City Manager or her designee, and responses from these two offices will be retained by the City for at least three years.

Any Grievant has the right to file grievances directly to the appropriate state or federal agency providing federal financial assistance to City.



City Of Encinitas/San Dieguito Water District
505 South Vulcan Ave
Encinitas, CA 92024
TITLE VI COORDINATOR
760- 633-2636, 760- 633-1228 Fax, 760- 633-2700 TTY

TITLE VI GRIEVANCE FORM

Name: _____

Address: _____

Phone Number: _____ Email Address: _____

IF A LEGALLY AUTHORIZED REPRESENTATIVE IS FILING THE GRIEVANCE ON YOUR BEHALF, HIS/HER NAME, ADDRESS AND TELEPHONE NUMBER MUST ALSO BE INCLUDED.

Representative's Name: _____

Address: _____

Phone Number: _____ Email Address: _____

Description of Grievance and Why You Believe You Were Discriminated Against: (attach additional pages if necessary):

Date of Alleged discrimination: _____

Name of party(s) involved: Include the name and contact information of the person(s) who discriminated against you (if known), as well as names and contact information of any witnesses, if applicable.

If the alleged incident involved a State/Federal agency(s), list name(s):

State requested remedy to your grievance: (attach additional pages if necessary)

Have you previously filed a Title VI grievance with the City of Encinitas/San Dieguito Water District:

YES NO

Have you filed this grievance with any other Federal, State or local agency, or with any other Federal or State Court? If so, state where?

Signature and date are required below to complete form:

X _____	_____
Signature (Complainant or his/her authorized representative)	Date

Within 15 calendar days after receipt of the complaint, City will meet with the complainant to discuss the complaint and a possible resolution. Within 15 calendar days of the meeting, City will respond in writing and explain the position of the City and offer options for resolution. (See Title VI Grievance Procedures)

Please complete and submit form to:

**City of Encinitas/San Dieguito Water District
Attn: Jace Schwarm, Title VI Coordinator
505 S. Vulcan Avenue
Encinitas, CA 92024**

~ COMPLAINT CAN BE FILED VERBALLY OR IN WRITING ~

The City of Encinitas is an affirmative action public entity and does not discriminate on the basis of race/color, national origin, sex, religion, age or disability in employment or the provisions of service. Please notify the City of Encinitas 72 hours or more prior to disability accommodations being needed.

CIUDAD DE ENCINITAS / DISTRITO DE AGUA DE SAN DIEGUITO

TÍTULO VI PROCEDIMIENTOS DE QUEJAS

TÍTULO VI PROCEDIMIENTOS DE RECLAMACIÓN

Como recipiente de fondos federales, la Ciudad de Encinitas / San Dieguito Water District debe cumplir con el Título VI de la Ley de Derechos Civiles de 1964 y garantizar que los servicios y beneficios se brinden de manera no discriminatoria. Este procedimiento describe el proceso para la disposición local de quejas de Título VI.

Cualquier persona que crea que ella o él han sido discriminados por motivos de raza, color u origen nacional, sexo, religión, discapacidad o edad por la Ciudad de Encinitas / San Dieguito Water District puede presentar una denuncia de Título VI llenando el Formulario de Queja de Título VI de la Ciudad / Distrito. La queja debe presentarse por escrito ante la organizacion apropiada. Presentando el Formulario de Queja de Título VI de la Ciudad. El reclamante o su representante autorizado debe presentar el Formulario de Queja lo mas antes posible, pero a más tardar 60 días después de la supuesta violación a:

Jace Schwarm, Coordinador del Título VI
Ciudad de Encinitas / San Dieguito Water District
Departamento de Riesgos
505 S. Vulcan Avenue
Encinitas, CA 92024
jschwarm@encinitasca.gov
Tel: (760) 633-2636 Fax: (760) 633-2700 TTY: (760) 633-2700

Dentro de los 15 días posteriores de la recepción de la queja, Jace Schwarm o su designado se reunirán con el demandante para discutir la queja y las posibles resoluciones. Dentro de los 15 días de la reunión, Jace Schwarm o su designado responderán por escrito y, cuando corresponda, en un formato accesible para el demandante, como letra grande, Braille o cinta de audio. La respuesta explicará la posición de la Ciudad de Encinitas / San Dieguito Water District y ofrecerá opciones para la resolución de la queja.

Si la respuesta de Jace Schwarm o su designado no resuelve satisfactoriamente el problema, el demandante y / o su designado pueden apelar la decisión dentro de los 15 días posteriores a la recepción de la respuesta al Administrador de la Ciudad, o su designado.

Dentro de los 15 días posteriores a la recepción de la apelación, el Administrador de la Ciudad o su designado se reunirá con el demandante para discutir la queja y las posibles resoluciones. Dentro de los 15 días posteriores a la reunión, el Administrador de la Ciudad o su designado responderá por escrito y, cuando corresponda, en un formato accesible para el demandante, con una resolución final de la queja.

Todas las quejas por escrito recibidas por Jace Schwarm o su designado, apelan al Gerente de la Ciudad o su designado, y las respuestas de estas dos oficinas serán retenidas por la Ciudad durante al menos tres años.

Cualquier reclamante tiene derecho a presentar reclamaciones directamente a la agencia estatal o federal correspondiente que proporciona asistencia financiera federal a la Ciudad.



Ciudad de Encinitas / Distrito del Agua de San Dieguito
505 South Vulcan Ave
Encinitas, CA 92024
TÍTULO VI COORDINADOR
760-633-2636, 760-633-1228 Fax, 760-633-2700 TTY

TÍTULO VI FORMULARIO DE RECLAMACIÓN

Nombre: _____

Dirección: _____

Número de teléfono: _____ Dirección de correo electrónico: _____

SI UN REPRESENTANTE LEGALMENTE AUTORIZADO PRESENTA LA QUEJA EN SU NOMBRE, TAMBIÉN DEBE INCLUIR SU NOMBRE, DIRECCIÓN Y NÚMERO DE TELÉFONO.

Nombre del representante: _____

Dirección: _____

Número de teléfono: _____ Dirección de correo electrónico: _____

Descripción de la queja y por qué cree que fue discriminado: (adjunte páginas adicionales si es necesario):

Fecha de presunta discriminación:

Nombre de la (s) parte (s) involucrada (s): incluya el nombre y la información de contacto de la (s) persona (s) que lo discriminaron (si se conoce), así como los nombres y la información de contacto de cualquier testigo, si corresponde.

Si el supuesto incidente involucró a una agencia estatal / federal, indique el nombre (s):

Resolucion apropiada para resolver su queja:

¿Ha presentado previamente una queja de Título VI ante la Ciudad de Encinitas / Distrito de Agua de San Dieguito:

SI NO

¿Ha presentado esta queja ante alguna otra agencia federal, estatal o local, o ante cualquier otro tribunal federal o estatal? Si es así, ¿dónde?

Se requiere la firma y la fecha a continuación para completar el formulario:

X

Firma (Reclamante o su representante autorizado) Fecha

Dentro de los 15 días calendario posteriores a la recepción de la queja, la Ciudad se reunirá con el demandante para discutir el cumplimiento y la posible resolución. Dentro de los 15 días calendario de la reunión, la Ciudad responderá por escrito y explicará la posición de la Ciudad y ofrecerá opciones para la resolución. (Consulte los Procedimientos de queja del Título VI)

Complete y envíe el formulario a:

**Ciudad de Encinitas /Distrito del Agua de San Dieguito
A la atención de: Jace Schwarm, Coordinador del Título VI
505 S. Vulcan Avenue
Encinitas, CA 92024**

~ LA QUEJA SE PUEDE PRESENTAR VERBALMENTE O POR ESCRITO ~

La Ciudad de Encinitas es una entidad pública de acción afirmativa y no discrimina por motivos de raza / color, origen nacional, sexo, religión, edad o discapacidad en el empleo o las disposiciones del servicio. Notifique a la Ciudad de Encinitas 72 horas o más antes de que se necesiten adaptaciones para discapacitados.

**CITY OF ENCINITAS
ADMINISTRATIVE MANUAL**

**Policy Title: Title VI of the Civil Rights Act of 1964 –
Notice to the Public**

Section: General

Responsible Department: Risk Management

Number: G052

Approved By: City Council

Date Approved: 08/28/19

Amended:

1.0 Philosophy

Title VI of the Civil Rights Act of 1964 mandates that, as a recipient of federal funds, the City of Encinitas/San Dieguito Water District (City) ensure that services and benefits are provided on a nondiscriminatory basis. The Title VI Grievance Public Notice informs the public of their rights and protections. The designated Title VI Coordinator will have available a “Notice to the Public” form for distribution.

2.0 Method

The City will post a public notice in a clear, visible location for Title VI of the Civil Rights Act of 1964 compliance. See Attached Public notice.

2.1 Non-discrimination on the Basis of race, color, national origin, sex, age or disability.

The City does not discriminate on the basis of race, color, national origin, sex, age or disability in any program or activity that receives Federal funds or other Federal financial assistance. The Risk Department Manager or her designee have been designated to coordinate compliance with the non-discrimination requirements contained in Title VI of the Civil Rights Act of 1964 and its implementing regulations. Information concerning the provisions of compliance to applicable regulations and laws are available from the designated Title VI Coordinator.

CITY OF ENCINITAS San Dieguito Water District

TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

TITLE VI NOTICE TO THE PUBLIC

In accordance with Title VI of the Civil Rights Act of 1964 and all related acts and statutes (Title VI), the City of Encinitas/San Dieguito Water District ("City") operates its programs and services without regard to race, color, national origin, sex, age or disability. Title VI and related statutes prohibits discrimination in Federally assisted programs requires that no person in the United States of American shall, on the grounds of race, color, national origin, sex, age or disability be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal Assistance.

Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the City of Encinitas/San Dieguito Water District. Any such grievance must be in writing and submitted to the City's Title VI Compliance Officer within 60 days following the date of the alleged occurrence.

For more information on the City of Encinitas/San Dieguito Water District civil rights program, and the procedures to file a complaint, contact:

Jace Schwarm, Title VI Coordinator
City of Encinitas/San Dieguito Water District
505 S. Vulcan Avenue
Encinitas, CA 92024
(760) 633-2636 (Voice, (760) 633-2700 (TTY), (760) 633-1228 (Fax)
Email: jschwarm@encinitasca.gov

Note that Complainant has the right to file grievances directly to the appropriate State or Federal agency providing financial assistance to the City/District.

If information is needed in another language, contact (760) 633-2636.

CIUDAD DE ENCINITAS

Distrito del Agua de San Dieguito

TÍTULO VI DE LA LEY DE DERECHOS CIVILES DE 1964

TÍTULO VI AVISO AL PUBLICO

De acuerdo con el Título VI de la Ley de Derechos Civiles de 1964 y todos los actos y estatutos relacionados (Título VI), la Ciudad de Encinitas / San Dieguito Water District ("Ciudad") opera sus programas y servicios sin distinción de raza, color, nacionalidad, origen, sexo, edad o discapacidad. El Título VI y los estatutos relacionados prohíben la discriminación por parte de entidades que reciban asistencia federal. Ninguna persona en los Estados Unidos sera objeto de discriminacion debido a su raza, color, sexo, discapacidad, edad u origen nacional, en cualquier programa o actividad que recibe ayunda federal assistencia.

Cualquier persona que crea que ella o él han sido perjudicada por cualquier práctica discriminatoria ilegal bajo el Título VI puede presentar una queja ante la Ciudad de Encinitas / San Dieguito Water District. Cualquier queja debe ser por escrito y presentada al Título VI de la Ciudad Oficial de cumplimiento dentro de los 60 días posteriores a la fecha del supuesto hecho.

Para obtener más información sobre los derechos civiles de la Ciudad de Encinitas / San Dieguito Water District, programa y los procedimientos para presentar una queja, comuníquese con:

Jace Schwarm, Coordinador del Título VI
Ciudad de Encinitas / Distrito del Agua de San Dieguito
505 S. Vulcan Avenue
Encinitas, CA 92024
(760) 633-2636 (Voz.) (760) 633-2700 (TTY), (760) 633-1228 (Fax)
Correo electrónico: jschwarm@encinitasca.gov

Tenga en cuenta que el demandante tiene derecho a presentar quejas directamente a la agencia estatal o federal correspondiente que proporciona asistencia financiera a la ciudad / distrito.

Si necesita información en otro idioma, comuníquese con (760) 633-2636.

**CITY OF ENCINITAS
ADMINISTRATIVE MANUAL**

Policy Title: Title VI of the Civil Rights Act of 1964 – Grievance Procedure **Section:** General

Responsible Department: Risk Management **Number:** G053

Approved By: City Council **Date Approved:**

Amended:

1.0 Philosophy

The City of Encinitas/San Dieguito Water District (City) adopted an internal grievance procedure providing for the prompt and equitable resolution of complaints alleging any action prohibited by Title VI of the Civil Rights Act of 1964 and ensuring that services and benefits are provided on a nondiscriminatory basis.

2.0 Method

2.1 Complaints should be addressed to: The Risk Department Manager or her designee have been designated to coordinate Title VI compliance efforts.

2.1.1 A complaint should be filed in writing or verbally, contain the name and address of the person filing it, a description of the alleged violation in sufficient detail to inform the City of the nature of the alleged violation, location of the alleged violation, the date of the alleged violation and the names of any parties involved. When filing a written complaint, the complaint shall be signed by the complainant or by someone authorized to do so on his or her behalf. A complaint form titled, "Title VI "Grievance Form" is attached.

2.1.2 A complaint should be filed after the complainant becomes aware of the alleged violation, but no later than 60 calendar days after the alleged violation.

2.1.3 Within 15 calendar days of the filing of the complaint, the Risk Department Manager or her designee will meet with the complainant to investigate and discuss possible resolution. These rules afford all interested persons and their representatives, if any, an opportunity to submit evidence relevant to the complaint.

- 2.1.4 A written determination as to the validity of the complaint and description of the resolution, if any, shall be issued by the Risk Department Manager or her designee, and a copy forwarded to the complainant no later than 15 calendar days after the meeting date.
- 2.1.5 The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the resolution or determination. The request for reconsideration should be made within 15 Calendar days to the City Manager or her designee.
- 2.1.6 The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of an complaint with the responsible federal department or agency. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies.
- 2.1.7 These rules shall be construed to protect the substantive rights of interested persons to meet appropriate due process standards and to assure that the City complies with the Title VI of the Civil Rights Act of 1964 and implementing regulations.
- 2.1.8 The Risk Management Department shall maintain the files and records for the City relating to the complaints filed which will be retained by the City for at least three years.

CITY OF ENCINITAS/SAN DIEGUITO WATER DISTRICT TITLE VI GRIEVANCE PROCEDURES

TITLE VI GRIEVANCE PROCEDURES

As a recipient of federal funds, the City of Encinitas/San Dieguito Water District are required to comply with Title VI of the Civil Rights Act of 1964 and ensure that services and benefits are provided on a nondiscriminatory basis. This Procedure describes the process for local disposition of Title VI grievances.

Any person who believes she or he has been discriminated against on the basis of race, color, or national origin, sex, religion, disability, or age by the City of Encinitas/San Dieguito Water District may file a Title VI grievance by completing and submitting the City's/District's Title VI Grievance Form. The complaint should be in writing by completing and submitting the City's Title VI Grievance Form. The Grievance Form should be submitted by the complainant or his/her authorized representative as soon as possible but no later than 60 calendar days after the alleged violation to:

**Jace Schwarm, Title VI Coordinator
City of Encinitas/San Dieguito Water District
Risk Department
505 S. Vulcan Avenue
Encinitas, CA 92024**

jschwarm@encinitasca.gov

Tel: (760) 633-2636 Fax: (760) 633-2700 TTY: (760) 633-2700

Within 15 calendar days after receipt of the complaint, Jace Schwarm or her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, Jace Schwarm or her designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the City of Encinitas/San Dieguito Water District and offer options for substantive resolution of the complaint.

If the response by Jace Schwarm or her designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the City Manager, or his/her designee.

Within 15 calendar days after receipt of the appeal, the City Manager or his/her designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the City Manager or his/her designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by Jace Schwarm or her designee, appeals to the City Manager or her designee, and responses from these two offices will be retained by the City for at least three years.

Any Grievant has the right to file grievances directly to the appropriate state or federal agency providing federal financial assistance to City.



City of Encinitas/San Dieguito Water District
505 South Vulcan Ave
Encinitas, CA 92024
TITLE VI COORDINATOR
760- 633-2636, 760- 633-1228 Fax, 760- 633-2700 TTY

TITLE VI GRIEVANCE FORM

Name: _____

Address: _____

Phone Number: _____ Email Address: _____

IF A LEGALLY AUTHORIZED REPRESENTATIVE IS FILING THE GRIEVANCE ON YOUR BEHALF, HIS/HER NAME, ADDRESS AND TELEPHONE NUMBER MUST ALSO BE INCLUDED.

Representative's

Name: _____

Address: _____

Phone Number: _____ Email Address: _____

Description of Grievance and Why You Believe You Were Discriminated Against: (attach additional pages if necessary):

Date of Alleged discrimination:

Name of party(s) involved: Include the name and contact information of the person(s) who discriminated against you (if known), as well as names and contact information of any witnesses, if applicable.

If the alleged incident involved a State/Federal agency(s), list name(s):

State requested remedy to your grievance: (attach additional pages if necessary)

Have you previously filed a Title VI grievance with the City of Encinitas/San Dieguito Water District:

YES NO

Have you filed this grievance with any other Federal, State or local agency, or with any other Federal or State Court? If so, state where?

Signature and date are required below to complete form:

X _____
Signature (Complainant or his/her authorized representative) Date

Within 15 calendar days after receipt of the complaint, City will meet with the complainant to discuss the complaint and a possible resolution. Within 15 calendar days of the meeting, City will respond in writing and explain the position of the City and offer options for resolution. (See Title VI Grievance Procedures)

Please complete and submit form to:

City of Encinitas/San Dieguito Water District
Attn: Jace Schwarm, Title VI Coordinator
505 S. Vulcan Avenue
Encinitas, CA 92024

~ COMPLAINT CAN BE FILED VERBALLY OR IN WRITING ~

The City of Encinitas is an affirmative action public entity and does not discriminate on the basis of race/color, national origin, sex, religion, age or disability in employment or the provisions of service. Please notify the City of Encinitas 72 hours or more prior to disability accommodations being needed.

CIUDAD DE ENCINITAS / DISTRITO DE AGUA DE SAN DIEGUITO

Título VI PROCEDIMIENTOS DE QUEJAS

TÍTULO VI PROCEDIMIENTOS DE RECLAMACIÓN

Como recipiente de fondos federales, la Ciudad de Encinitas / San Dieguito Water District debe cumplir con el Título VI de la Ley de Derechos Civiles de 1964 y garantizar que los servicios y beneficios se brinden de manera no discriminatoria. Este procedimiento describe el proceso para la disposición local de quejas de Título VI.

Cualquier persona que crea que ella o él han sido discriminados por motivos de raza, color u origen nacional, sexo, religión, discapacidad o edad por la Ciudad de Encinitas / San Dieguito Water District puede presentar una denuncia de Título VI llenando el Formulario de Queja de Título VI de la Ciudad / Distrito. La queja debe presentarse por escrito ante la organizacion apropiada. Presentando el Formulario de Queja de Título VI de la Ciudad. El reclamante o su representante autorizado debe presentar el Formulario de Queja lo mas antes posible, pero a más tardar 60 días después de la supuesta violación a:

Jace Schwarm, Coordinador del Título VI
Ciudad de Encinitas / San Dieguito Water District
Departamento de riesgos
505 S. Vulcan Avenue
Encinitas, CA 92024
jschwarm@encinitasca.gov
Tel: (760) 633-2636 Fax: (760) 633-2700 TTY: (760) 633-2700

Dentro de los 15 días calendario posteriores de la recepción de la queja, Jace Schwarm o su designado se reunirán con el demandante para discutir la queja y las posibles resoluciones. Dentro de los 15 días de la reunión, Jace Schwarm o su designado responderán por escrito y, cuando corresponda, en un formato accesible para el demandante, como letra grande, Braille o cinta de audio. La respuesta explicará la posición de la Ciudad de Encinitas / San Dieguito Water District y ofrecerá opciones para la resolución de la queja.

Si la respuesta de Jace Schwarm o su designado no resuelve satisfactoriamente el problema, el demandante y / o su designado pueden apelar la decisión dentro de los 15 días posteriores a la recepción de la respuesta al Administrador de la Ciudad, o su designado.

Dentro de los 15 días posteriores a la recepción de la apelación, el Administrador de la Ciudad o su designado se reunirá con el demandante para discutir la queja y las posibles resoluciones. Dentro de los 15 días posteriores a la reunión, el Administrador de la Ciudad o su designado responderá por escrito y, cuando corresponda, en un formato accesible para el demandante, con una resolución final de la queja.

Todas las quejas por escrito recibidas por Jace Schwarm o su designado, apelan al Gerente de la Ciudad o su designado, y las respuestas de estas dos oficinas serán retenidas por la Ciudad durante al menos tres años.

Cualquier reclamante tiene derecho a presentar reclamaciones directamente a la agencia estatal o federal correspondiente que proporciona asistencia financiera federal a la Ciudad.



Ciudad de Encinitas / Distrito del Agua de San Dieguito

505 South Vulcan Ave

Encinitas, CA 92024

TÍTULO VI COORDINADOR

760-633-2636, 760-633-1228 Fax, 760-633-2700 TTY

TÍTULO VI FORMULARIO DE RECLAMACIÓN

Nombre: _____

Dirección:

Número de teléfono: _____ Dirección de correo electrónico: _____

SI UN REPRESENTANTE LEGALMENTE AUTORIZADO PRESENTA LA QUEJA EN SU NOMBRE, TAMBIÉN DEBE INCLUIR SU NOMBRE, DIRECCIÓN Y NÚMERO DE TELÉFONO.

Nombre del

representante: _____

Dirección:

Número de teléfono: _____ Dirección de correo electrónico: _____

Descripción de la queja y por qué cree que fue discriminado: (adjunte páginas adicionales si es necesario):

Fecha de presunta discriminación:

Nombre de la (s) parte (s) involucrada (s): incluya el nombre y la información de contacto de la (s) persona (s) que lo discriminaron (si se conoce), así como los nombres y la información de contacto de cualquier testigo, si corresponde.

Si el supuesto incidente involucró a una agencia estatal / federal, indique el nombre (s):

Resolución apropiada para resolver su queja:

¿Ha presentado previamente una queja de Título VI ante la Ciudad de Encinitas / Distrito de Agua de San Dieguito:

SI

NO

¿Ha presentado esta queja ante alguna otra agencia federal, estatal o local, o ante cualquier otro tribunal federal o estatal? Si es así, ¿dónde?

Se requiere la firma y la fecha a continuación para completar el formulario:

X _____

Firma (Reclamante o su representante autorizado) Fecha

Dentro de los 15 días calendario posteriores a la recepción de la queja, la Ciudad se reunirá con el demandante para discutir el cumplimiento y la posible resolución. Dentro de los 15 días calendario de la reunión, la Ciudad responderá por escrito y explicará la posición de la Ciudad y ofrecerá opciones para la resolución. (Consulte los Procedimientos de queja del Título VI)

Complete y envíe el formulario a:

**Ciudad de Encinitas /Distrito del Agua de San Dieguito
A la atención de: Jace Schwarm, Coordinador del Título VI
505 S. Vulcan Avenue
Encinitas, CA 92024**

~ LA QUEJA SE PUEDE PRESENTAR VERBALMENTE O POR ESCRITO ~

La Ciudad de Encinitas es una entidad pública de acción afirmativa y no discrimina por motivos de raza / color, origen nacional, sexo, religión, edad o discapacidad en el empleo o las disposiciones del servicio. Notifique a la Ciudad de Encinitas 72 horas o más antes de que se necesiten adaptaciones para discapacitados.

**CITY OF ENCINITAS
ADMINISTRATIVE MANUAL**

Policy Title: Title VI of the Civil Rights Act of 1964 **Section:** General
Non Discriminatory Statement for Publications

Responsible Department: Risk Management **Number:** G54

Approved By: City Council **Date Approved:**

Amended:

1.0. Philosophy

The City of Encinitas/San Dieguito Water District (City) operates its programs and services, in accordance with Title VI of the Civil Rights Act of 1964 and all related acts and statutes (Title VI). Title VI and related statutes prohibiting discrimination in Federally assisted programs require that no person in the United States of America shall, on the grounds of race, color, nation origin, sex, age or disability be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal assistance. Recruitment materials or publications for program participants, beneficiaries, applications and employees must contain an appropriate non-discrimination statement.

2.0. Method

2.1. The City will include in all publications, notifications and forms for the public, a non-discriminatory statement.

2.1.1 THE CITY IS AN AFFIRMATIVE ACTION PUBLIC ENTITY AND DOES NOT DISCRIMINATE ON THE BASIS OF RACE, COLOR, NATIONAL ORIGIN, SEX, AGE, OR DISABILITY IN EMPLOYMENT OR THE PROVISION OF SERVICE. PLEASE NOTIFY THE CITY CLERK DEPARTMENT OR RISK MANAGEMENT 72 HOURS OR MORE, PRIOR TO DISABILITY ACCOMMODATIONS BEING NEEDED.

Exhibit D



CITY OF ENCINITAS San Dieguito Water District



TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

TITLE VI NOTICE TO THE PUBLIC

In accordance with Title VI of the Civil Rights Act of 1964 and all related acts and statutes (Title VI), the City of Encinitas/San Dieguito Water District (“City”) operates its programs and services without regard to race, color, national origin, sex, age or disability. Title VI and related statutes prohibits discrimination in Federally assisted programs requires that no person in the United States of American shall, on the grounds of race, color, national origin, sex, age or disability be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal Assistance.

Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the City of Encinitas/San Dieguito Water District. Any such grievance must be in writing and submitted to the City’s Title VI Compliance Officer within 60 days following the date of the alleged occurrence.

For more information on the City of Encinitas/San Dieguito Water District civil rights program, and the procedures to file a complaint, contact:

Jace Schwarm, Title VI Coordinator
City of Encinitas/San Dieguito Water District
505 S. Vulcan Avenue
Encinitas, CA 92024
(760) 633-2636 (Voice, (760) 633-2700 (TTY), (760) 633-1228 (Fax)
Email: jschwarm@encinitasca.gov

Note that Complainant has the right to file grievances directly to the appropriate State or Federal agency providing financial assistance to the City/District.

If information is needed in another language, contact (760) 633-2636.



CIUDAD DE ENCINITAS Distrito del agua de San Dieguito



TÍTULO VI DE LA LEY DE DERECHOS CIVILES DE 1964

TÍTULO VI AVISO AL PUBLICO

De acuerdo con el Título VI de la Ley de Derechos Civiles de 1964 y todos los actos y estatutos relacionados (Título VI), la Ciudad de Encinitas / San Dieguito Water District ("Ciudad") opera sus programas y servicios sin distinción de raza, color, nacionalidad, origen, sexo, edad o discapacidad. El Título VI y los estatutos relacionados prohíben la discriminación por parte de entidades que reciban asistencia federal. Ninguna persona en los Estados Unidos sera objeto de discriminacion debido a su raza, color, sexo, discapacidad, edad u origen nacional, en cualquier programa o actividad que recibe ayunda federal asistencia.

Cualquier persona que crea que ella o él han sido perjudicada por cualquier práctica discriminatoria ilegal bajo el Título VI puede presentar una queja ante la Ciudad de Encinitas / San Dieguito Water District. Cualquier queja debe ser por escrito y presentada al Título VI de la Ciudad Oficial de cumplimiento dentro de los 60 días posteriores a la fecha del supuesto hecho.

Para obtener más información sobre los derechos civiles de la Ciudad de Encinitas / San Dieguito Water District, programa y los procedimientos para presentar una queja, comuníquese con:

Jace Schwarm, Coordinador del Título VI
Ciudad de Encinitas / Distrito del Agua de San Dieguito
505 S. Vulcan Avenue
Encinitas, CA 92024
(760) 633-2636 (Voz, (760) 633-2700 (TTY), (760) 633-1228 (Fax)
Correo electrónico: jschwarm@encinitasca.gov

Tenga en cuenta que el demandante tiene derecho a presentar quejas directamente a la agencia estatal o federal correspondiente que proporciona asistencia financiera a la ciudad / distrito.

Si necesita información en otro idioma, comuníquese con (760) 633-2636.

*MINUTES OF THE ENCINITAS CITY COUNCIL REGULAR MEETING
AUGUST 28, 2019, 6:00 P.M., 505 SOUTH VULCAN AVENUE*

1. CALL TO ORDER

Mayor Blakespear called the meeting to order at 6:00 P.M.

2. ROLL CALL

Present: Mayor Catherine S. Blakespear, Deputy Mayor Jody Hubbard, Council Members Kellie Shay Hinze, Tony Kranz and Joe Mosca

Absent: None

Also present: City Manager Brust, City Attorney Sabine, Director of Development Services Wisneski, City Engineer Wimmer, Director of Parks and Recreation Campbell, City Clerk Hollywood and Deputy City Clerk Bingham

There being a quorum present, the meeting was in order.

3. PLEDGE OF ALLEGIANCE

4. SPECIAL PRESENTATIONS AND PROCLAMATIONS

4A. Proclamation to Beverly Goodman on her retirement from Coast Highway Traders

Mayor Blakespear presented a proclamation to Beverly Goodman on her retirement.

4B. Parks Master Plan update by Director of Parks and Recreation Campbell

Director of Parks and Recreation Campbell presented the Parks, Beaches, Trails and Open Space Master Plan accomplishments.

5. ORAL COMMUNICATIONS / POSSIBLE DIRECTION TO STAFF

Helen Bourne spoke regarding an NCTD transit connection for Encinitas and spoke in support of the Leaf Blower Ordinance.

Rachel de la Vega spoke regarding the discharge of illegal fireworks in Olivenhain.

Ellen Burr spoke regarding the Leucadia bluff collapse.

Danny Salzhandler spoke about replacing the banner arms on light poles in the downtown area.

Corinn Schreiner, Jack Cardoza and Ingrid Shequim spoke regarding small cell 5G wireless facilities.

Ron Dodge spoke about historic U.S. Anniversaries.

6. REPORT FROM CLOSED SESSION

No Closed Session meeting was held.

7. CHANGES TO THE AGENDA

There were no changes to the posted agenda.

8. CONSENT CALENDAR

City Clerk Hollywood announced that Consent Calendar Agenda Item 8J had been removed by the public.

Mayor Blakespear stated that she would be making a comment only on Consent Calendar Agenda Item 8C.

COUNCIL ACTION:

Kranz moved, Hubbard seconded to close and adopt the amended Consent Calendar. Motion carried. Ayes: Blakespear, Hinze, Hubbard, Kranz, Mosca. Nays: None.

8A. Authorization to purchase new closed-circuit television (CCTV) truck for Public Works Wastewater Collection Division. Contact Person: Management Analyst Stratakis

Recommended Action: Authorize the purchase of one CCTV Truck and equipment in accordance with the quote, for an amount not-to-exceed \$294,000.

8B. Introduction of Ordinance 2019-11 amending Encinitas Municipal Code Chapter 2.12.060.C Conflict of Interest Code. Contact Person: City Clerk Hollywood

Recommended Action: Introduce Ordinance 2019-11 entitled, "An Ordinance of the City of Encinitas, California, amending Encinitas Municipal Code Chapter 2.12.060.C regarding Conflict of Interest filers."

- 8C. Environmental Commission Recommendation to City Council to Adopt a Resolution Supporting Assembly Bill (AB) 1788. Contact Person: Environmental Programs Manager Steenblock

Recommended Action: Adopt City Council Resolution 2019-76, "A Resolution of the City Council of the City of Encinitas Supporting AB 1788, the California Ecosystems Protection Act of 2019."

Mayor Blakespear requested that staff include a letter of support with the resolution.

- 8D. Consideration of Resolution 2019-74 establishing the Title VI Compliance Program and adopting the Administrative Policies G052-Title VI Public Notice; G053-Title VI Grievance Procedures and Form; and G054-Title VI Non-Discriminatory Statement for Publications and Public Notice. Contact Person: Risk Department Manager Schwarm

Recommended Action: Adopt Resolution 2019-74 establishing a Title VI Compliance Program and adopting Administrative Policies G052-Title VI Public Notice; G053-Title VI Grievance Procedures and Form; and G054-Title VI Non-Discriminatory Statement for Publications and Public Notice.

- 8E. Senior Nutrition Catered Lunch Agreement. Contact Person: Recreation Center Manager Goodsell

Recommended Action: 1) Authorize the City Manager to execute a twenty-two (22) month agreement with an option for a twenty-four (24) month renewal between the City of Encinitas and Essenco, Inc. for an amount not to exceed \$265,825, in conjunction with the City Attorney in substantial form, commencing upon the date of its execution by both parties to provide senior nutrition catered lunches at the Encinitas Senior and Community Center; 2) Council approves and adopts Resolution 2019-77, titled "A Resolution of the City Council of the City of Encinitas, California, Amending the Fiscal Year 2019-20 Budget."

- 8F. Fee Waivers for the San Dieguito American Legion Post 416 for permit fees associated with the remodel of facility located at 210 West F Street. Contact Person: Director of Development Services Wisneski

Recommended Action: Approve fee waivers in the amount not to exceed \$13,480, for the San Dieguito American Legion Post 416 for remodel of the facility located at 210 West F Street.

- 8G. 1711 Eolus Avenue Storm Drain Improvements Project (CD05E). Contact Person: Associate Civil Engineer Widelski

Recommended Action: Approve the plans, specifications and authorize advertisement of the 1711 Eolus Avenue Storm Drain Improvements Project (CD05E).

- 8H. Landscape Maintenance Services Agreement Amendment No. 4. Contact Person: Park Operations Manager Saul

Recommended Action: City Council authorizes the City Manager to execute Amendment No. 4 with Excel Landscape for Citywide Landscape Maintenance Services, in substantial form, in consultation with the City Attorney, increasing the agreement by \$164,177 for a total not to exceed of \$10,525,176 for the initial three-year term and the three-year extension.

- 8I. Contract amendment with LC Paving and supporting budget amendment for unanticipated drainage repairs within NCTD Right-of-Way (ROW) covered by the temporary Right-of-Way Parking License Agreement with NCTD. Contact Person: Superintendent Ugrob

Recommended Action: 1) Authorize the City Manager, in consultation with the City Attorney, to execute Amendment No. 5 of the Agreement with LC Paving & Sealing, Inc. in an amount not to exceed \$150,000 for the restoration of earthen drainage within NCTD property for a total contract amount of \$1,846,500; and 2) Adopt Resolution 2019-72 titled "A Resolution of the City Council of the City of Encinitas Amending the Fiscal Year 2019-20 Budget."

9. ITEMS REMOVED FROM THE CONSENT CALENDAR

- 8J. Professional Services Contract for the Leucadia Area Watershed Master Plan (WD19E). Contact Person: City Engineer Wimmer

Recommended Action: Authorize the City Manager, in consultation with the City Attorney, to execute a contract and any necessary amendments and time extensions, with Q3 Consulting in the amount of \$375,528 plus 15% contingency for a total contract amount not to exceed \$431,857.20 to prepare the Leucadia Area Watershed Master Plan (WD19E).

SPEAKERS:

John Helly spoke in opposition to the recommended action.

Russell Levan, Rod Dodge and John Braman had questions regarding the contract, the need to include clear deliverables and a statement of work in the contract.

City Engineer Wimmer responded to questions from the public.

COUNCIL ACTION:

Kranz moved, Hinze seconded to: 1) Authorize the City Manager, in consultation with the City Attorney, to execute a contract and any necessary amendments and time extensions, with Q3 Consulting in the amount of \$375,528 plus 15% contingency for a total contract amount not to exceed \$431,857.20 to prepare the Leucadia Area Watershed Master Plan (WD19E); 2) Direct the City Manager in conjunction with the City Attorney to include the following Council direction into the contract and project: a) Include a statement of work and identify deliverables in the contract, b) Public engagement – direct staff to schedule community workshops to collect oral histories and to review the results with the community before the Master Plan comes back to Council, c) prioritize the re-use of water and to capture it as far up stream as possible, d) consider the bluffs; and 3) Direct the City Council Streetscape Subcommittee to review the contract before final approval to ensure Council direction has been incorporated. Motion carried. Ayes: Blakespear, Hinze, Hubbard, Kranz, Mosca. Nays: None.

10. ACTION ITEMS

- 10A. Public hearing to introduce City Council Ordinance 2019-10 to move the requirements for Lot Consolidations from Chapter 24.60 (Minor Subdivisions – Tentative Parcel Map) to Chapter 24.70 (Lot Line Adjustments), see Exhibit A of the agenda report. Title 24 of the Municipal Code is a component of the Local Coastal Program (LCP); therefore, the LCP would also be amended as part of this application. Contact Person: Principal Planner Yentile

Recommended Action: Introduce City Council Ordinance 2019-10 titled, “An Ordinance of the City Council of the City of Encinitas, California, Adopting Amendments to Chapters 24.60 (Minor Subdivisions – Tentative Parcel Map) and 24.70 (Subdivisions) of the Encinitas Municipal Code.”

Director of Development Services Wisneski presented the staff report.

COUNCIL ACTION:

Blakespear moved, Mosca seconded to introduce City Council Ordinance 2019-10 titled, “An Ordinance of the City Council of the City of Encinitas, California, Adopting Amendments to Chapters 24.60 (Minor Subdivisions – Tentative Parcel Map) and 24.70 (Subdivisions) of the Encinitas Municipal Code.” Motion carried. Ayes: Blakespear, Hinze, Hubbard, Kranz, Mosca. Nays: None

11. INFORMATIONAL ITEMS

There were no informational items.

12. COUNCIL MEMBER INITIATED AGENDA ITEM

Mayor Blakespear reported that she would be working with staff on a comprehensive review and update of the legislative program and priorities.

Mayor Blakespear requested direction to staff to prepare a "safe storage of firearms" ordinance for the September 25, 2019 City Council meeting in conjunction with a presentation by San Diego City Attorney Mara Elliot. There was Council Consensus

13. CITY COUNCIL MEMBER REPORTS PURSUANT TO AB1234 (GC 53232.3(d)) / POSSIBLE DIRECTION TO STAFF

Council Member Hinze had nothing to report.

Council Member Mosca reported on an Encina Wastewater Authority JPA meeting and a San Diego County Water Authority meeting.

Council Member Kranz had nothing to report.

Deputy Mayor Hubbard reported on a North County Dispatch JPA meeting.

Mayor Blakespear reported on an Encina Wastewater Authority JPA meeting.

14. CITY MANAGER REPORTS / PENDING POSSIBLE FUTURE AGENDA ITEMS

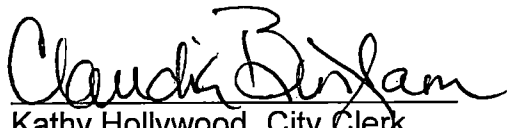
City Manager Brust reported on a recent Army Corp of Engineers meeting.

15. CITY ATTORNEY REPORTS

No report was given.

16. ADJOURNMENT

Council Member Hinze adjourned the meeting at 7:42 P.M. in honor of Juanita Martinez, owner of Juanita's Taco Shop in Leucadia, who recently passed away.


Kathy Hollywood, City Clerk
By: Claudia Bingham
Deputy City Clerk


Catherine S. Blakespear, Mayor

RESOLUTION 2019-74

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ENCINITAS
ADOPTING THE COMPLIANCE PROGRAM, GRIEVANCE PROCEDURES
AND FORMS, ADMINISTRATIVE POLICIES G052; G053; G054 AND THE
PUBLIC NOTICE CONSISTANT WITH THE TITLE VI OF THE CIVIL
RIGHTS ACT OF 1964**

WHEREAS, the Encinitas City Council adopts the Compliance Program, Grievance Procedures and Forms, Administrative Policies G052, G053, G054 and the Public Notice for the Title VI of the Civil Rights Act of 1964;

WHEREAS, The City Council desires to operate its programs and services without discrimination to race, color, national origin, sex, age or disability; and

WHEREAS, the City Council has reviewed the proposed Title VI Compliance Program, Grievance Procedures and Forms, Administrative Policies G052, G053, G054 and the Public Notice.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Encinitas adopts Resolution 2019-74 which includes the Title VI Compliance Program, Grievance Procedures and Forms, Administrative Policies GO52, GO53, GO54 and Public Notice reviewed by City Council at the City Council meeting and as summarized by Exhibits "A" "B" "C" "D" attached hereto.

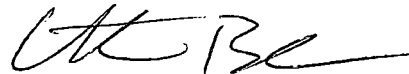
PASSED AND ADOPTED this 28th day of August, 2019 by the following vote to wit:

AYES: Blakespear, Hinze, Hubbard, Kranz, Mosca

NAYS: None

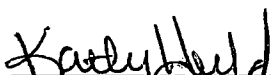
ABSENT: None

ABSTAIN: None



Catherine S. Blakespear, Mayor
City of Encinitas

ATTEST:



Kathy Hollywood, City Clerk

**CITY OF ENCINITAS
ADMINISTRATIVE MANUAL**

Policy Title: Title VI of the Civil Rights Act of 1964 –
Notice to the Public

Section: General

Responsible Department: Risk Management

Number: G052

Approved By: City Council

Date Approved: 08/28/19

Amended:

1.0 Philosophy

Title VI of the Civil Rights Act of 1964 mandates that, as a recipient of federal funds, the City of Encinitas/San Dieguito Water District (City) ensure that services and benefits are provided on a nondiscriminatory basis. The Title VI Grievance Public Notice informs the public of their rights and protections. The designated Title VI Coordinator will have available a "Notice to the Public" form for distribution.

2.0 Method

The City will post a public notice in a clear, visible location for Title VI of the Civil Rights Act of 1964 compliance. See Attached Public notice.

2.1 Non-discrimination on the Basis of race, color, national origin, sex, age or disability.

The City does not discriminate on the basis of race, color, national origin, sex, age or disability in any program or activity that receives Federal funds or other Federal financial assistance. The Risk Department Manager or her designee have been designated to coordinate compliance with the non-discrimination requirements contained in Title VI of the Civil Rights Act of 1964 and its implementing regulations. Information concerning the provisions of compliance to applicable regulations and laws are available from the designated Title VI Coordinator.

**CITY OF ENCINITAS
San Dieguito Water District**

TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

TITLE VI NOTICE TO THE PUBLIC

In accordance with Title VI of the Civil Rights Act of 1964 and all related acts and statutes (Title VI), the City of Encinitas/San Dieguito Water District ("City") operates its programs and services without regard to race, color, national origin, sex, age or disability. Title VI and related statutes prohibits discrimination in Federally assisted programs requires that no person in the United States of American shall, on the grounds of race, color, national origin, sex, age or disability be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal Assistance.

Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the City of Encinitas/San Dieguito Water District. Any such grievance must be in writing and submitted to the City's Title VI Compliance Officer within 60 days following the date of the alleged occurrence.

For more information on the City of Encinitas/San Dieguito Water District civil rights program, and the procedures to file a complaint, contact:

**Jace Schwarm, Title VI Coordinator
City of Encinitas/San Dieguito Water District
505 S. Vulcan Avenue
Encinitas, CA 92024
(760) 633-2636 (Voice), (760) 633-2700 (TTY), (760) 633-1228 (Fax)
Email: jschwarm@encinitasca.gov**

Note that Complainant has the right to file grievances directly to the appropriate State or Federal agency providing financial assistance to the City/District.

If information is needed in another language, contact (760) 633-2636.

CIUDAD DE ENCINITAS

Distrito del Agua de San Dieguito

TÍTULO VI DE LA LEY DE DERECHOS CIVILES DE 1964

TÍTULO VI AVISO AL PUBLICO

De acuerdo con el Título VI de la Ley de Derechos Civiles de 1964 y todos los actos y estatutos relacionados (Título VI), la Ciudad de Encinitas / San Dieguito Water District ("Ciudad") opera sus programas y servicios sin distinción de raza, color, nacionalidad, origen, sexo, edad o discapacidad. El Título VI y los estatutos relacionados prohíben la discriminación por parte de entidades que reciban asistencia federal. Ninguna persona en los Estados Unidos sera objeto de discriminación debido a su raza, color, sexo, discapacidad, edad u origen nacional, en cualquier programa o actividad que recibe ayuda federal asistencia.

Cualquier persona que crea que ella o él han sido perjudicada por cualquier práctica discriminatoria ilegal bajo el Título VI puede presentar una queja ante la Ciudad de Encinitas / San Dieguito Water District. Cualquier queja debe ser por escrito y presentada al Título VI de la Ciudad Oficial de cumplimiento dentro de los 60 días posteriores a la fecha del supuesto hecho.

Para obtener más información sobre los derechos civiles de la Ciudad de Encinitas / San Dieguito Water District, programa y los procedimientos para presentar una queja, comuníquese con:

Jace Schwarm, Coordinador del Título VI
Ciudad de Encinitas / Distrito del Agua de San Dieguito
505 S. Vulcan Avenue
Encinitas, CA 92024
(760) 633-2636 (Voz.) (760) 633-2700 (TTY), (760) 633-1228 (Fax)
Correo electrónico: jschwarm@encinitasca.gov

Tenga en cuenta que el demandante tiene derecho a presentar quejas directamente a la agencia estatal o federal correspondiente que proporciona asistencia financiera a la ciudad / distrito.

Si necesita información en otro idioma, comuníquese con (760) 633-2636.

**CITY OF ENCINITAS
ADMINISTRATIVE MANUAL**

Policy Title: Title VI of the Civil Rights Act of 1964 –
Grievance Procedure **Section:** General

Responsible Department: Risk Management **Number:** G053

Approved By: City Council **Date Approved:**

Amended:

1.0 Philosophy

The City of Encinitas/San Dieguito Water District (City) adopted an internal grievance procedure providing for the prompt and equitable resolution of complaints alleging any action prohibited by Title VI of the Civil Rights Act of 1964 and ensuring that services and benefits are provided on a nondiscriminatory basis.

2.0 Method

2.1 Complaints should be addressed to: The Risk Department Manager or her designee have been designated to coordinate Title VI compliance efforts.

2.1.1 A complaint should be filed in writing or verbally, contain the name and address of the person filing it, a description of the alleged violation in sufficient detail to inform the City of the nature of the alleged violation, location of the alleged violation, the date of the alleged violation and the names of any parties involved. When filing a written complaint, the complaint shall be signed by the complainant or by someone authorized to do so on his or her behalf. A complaint form titled, "Title VI "Grievance Form" is attached.

2.1.2 A complaint should be filed after the complainant becomes aware of the alleged violation, but no later than 60 calendar days after the alleged violation.

2.1.3 Within 15 calendar days of the filing of the complaint, the Risk Department Manager or her designee will meet with the complainant to investigate and discuss possible resolution. These rules afford all interested persons and their representatives, if any, an opportunity to submit evidence relevant to the complaint.

- 2.1.4 A written determination as to the validity of the complaint and description of the resolution, if any, shall be issued by the Risk Department Manager or her designee, and a copy forwarded to the complainant no later than 15 calendar days after the meeting date.
- 2.1.5 The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the resolution or determination. The request for reconsideration should be made within 15 Calendar days to the City Manager or her designee.
- 2.1.6 The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of an complaint with the responsible federal department or agency. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies.
- 2.1.7 These rules shall be construed to protect the substantive rights of interested persons to meet appropriate due process standards and to assure that the City complies with the Title VI of the Civil Rights Act of 1964 and implementing regulations.
- 2.1.8 The Risk Management Department shall maintain the files and records for the City relating to the complaints filed which will be retained by the City for at least three years.

**CITY OF ENCINITAS/SAN DIEGUITO WATER DISTRICT
TITLE VI GRIEVANCE PROCEDURES**

TITLE VI GRIEVANCE PROCEDURES

As a recipient of federal funds, the City of Encinitas/San Dieguito Water District are required to comply with Title VI of the Civil Rights Act of 1964 and ensure that services and benefits are provided on a nondiscriminatory basis. This Procedure describes the process for local disposition of Title VI grievances.

Any person who believes she or he has been discriminated against on the basis of race, color, or national origin, sex, religion, disability, or age by the City of Encinitas/San Dieguito Water District may file a Title VI grievance by completing and submitting the City's/District's Title VI Grievance Form. The complaint should be in writing by completing and submitting the City's Title VI Grievance Form. The Grievance Form should be submitted by the complainant or his/her authorized representative as soon as possible but no later than 60 calendar days after the alleged violation to:

**Jace Schwarm, Title VI Coordinator
City of Encinitas/San Dieguito Water District
Risk Department
505 S. Vulcan Avenue
Encinitas, CA 92024
jschwarm@encinitasca.gov**

Tel: (760) 633-2636 Fax: (760) 633-2700 TTY: (760) 633-2700

Within 15 calendar days after receipt of the complaint, Jace Schwarm or her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, Jace Schwarm or her designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the City of Encinitas/San Dieguito Water District and offer options for substantive resolution of the complaint.

If the response by Jace Schwarm or her designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the City Manager, or his/her designee.

Within 15 calendar days after receipt of the appeal, the City Manager or his/her designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the City Manager or his/her designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by Jace Schwarm or her designee, appeals to the City Manager or her designee, and responses from these two offices will be retained by the City for at least three years.

Any Grievant has the right to file grievances directly to the appropriate state or federal agency providing federal financial assistance to City.



City of Encinitas/San Dieguito Water District
505 South Vulcan Ave
Encinitas, CA 92024
TITLE VI COORDINATOR
760- 633-2636, 760- 633-1228 Fax, 760- 633-2700 TTY

TITLE VI GRIEVANCE FORM

Name: _____

Address: _____

Phone Number: _____ Email Address: _____

IF A LEGALLY AUTHORIZED REPRESENTATIVE IS FILING THE GRIEVANCE ON YOUR BEHALF, HIS/HER NAME, ADDRESS AND TELEPHONE NUMBER MUST ALSO BE INCLUDED.

Representative's

Name: _____

Address: _____

Phone Number: _____ Email Address: _____

Description of Grievance and Why You Believe You Were Discriminated Against: (attach additional pages if necessary):

Date of Alleged discrimination:

Name of party(s) involved: Include the name and contact information of the person(s) who discriminated against you (if known), as well as names and contact information of any witnesses, if applicable.

If the alleged incident involved a State/Federal agency(s), list name(s):

State requested remedy to your grievance: (attach additional pages if necessary)

Have you previously filed a Title VI grievance with the City of Encinitas/San Dieguito Water District:

YES NO

Have you filed this grievance with any other Federal, State or local agency, or with any other Federal or State Court? If so, state where?

Signature and date are required below to complete form:

X _____
Signature (Complainant or his/her authorized representative) Date

Within 15 calendar days after receipt of the complaint, City will meet with the complainant to discuss the complaint and a possible resolution. Within 15 calendar days of the meeting, City will respond in writing and explain the position of the City and offer options for resolution. (See Title VI Grievance Procedures)

Please complete and submit form to:

City of Encinitas/San Dieguito Water District
Attn: Jace Schwarm, Title VI Coordinator
505 S. Vulcan Avenue
Encinitas, CA 92024

~ COMPLAINT CAN BE FILED VERBALLY OR IN WRITING ~

The City of Encinitas is an affirmative action public entity and does not discriminate on the basis of race/color, national origin, sex, religion, age or disability in employment or the provisions of service. Please notify the City of Encinitas 72 hours or more prior to disability accommodations being needed.

CIUDAD DE ENCINITAS / DISTRITO DE AGUA DE SAN DIEGUITO
Título VI PROCEDIMIENTOS DE QUEJAS

TÍTULO VI PROCEDIMIENTOS DE RECLAMACIÓN

Como recipiente de fondos federales, la Ciudad de Encinitas / San Dieguito Water District debe cumplir con el Título VI de la Ley de Derechos Civiles de 1964 y garantizar que los servicios y beneficios se brinden de manera no discriminatoria. Este procedimiento describe el proceso para la disposición local de quejas de Título VI.

Cualquier persona que crea que ella o él han sido discriminados por motivos de raza, color u origen nacional, sexo, religión, discapacidad o edad por la Ciudad de Encinitas / San Dieguito Water District puede presentar una denuncia de Título VI llenando el Formulario de Queja de Título VI de la Ciudad / Distrito. La queja debe presentarse por escrito ante la organización apropiada. Presentando el Formulario de Queja de Título VI de la Ciudad. El reclamante o su representante autorizado debe presentar el Formulario de Queja lo mas antes posible, pero a más tardar 60 días después de la supuesta violación a:

Jace Schwarm, Coordinador del Título VI
Ciudad de Encinitas / San Dieguito Water District
Departamento de riesgos
505 S. Vulcan Avenue
Encinitas, CA 92024
jschwarm@encinitasca.gov
Tel: (760) 633-2636 Fax: (760) 633-2700 TTY: (760) 633-2700

Dentro de los 15 días calendario posteriores de la recepción de la queja, Jace Schwarm o su designado se reunirán con el demandante para discutir la queja y las posibles resoluciones. Dentro de los 15 días de la reunión, Jace Schwarm o su designado responderán por escrito y, cuando corresponda, en un formato accesible para el demandante, como letra grande, Braille o cinta de audio. La respuesta explicará la posición de la Ciudad de Encinitas / San Dieguito Water District y ofrecerá opciones para la resolución de la queja.

Si la respuesta de Jace Schwarm o su designado no resuelve satisfactoriamente el problema, el demandante y / o su designado pueden apelar la decisión dentro de los 15 días posteriores a la recepción de la respuesta al Administrador de la Ciudad, o su designado.

Dentro de los 15 días posteriores a la recepción de la apelación, el Administrador de la Ciudad o su designado se reunirá con el demandante para discutir la queja y las posibles resoluciones. Dentro de los 15 días posteriores a la reunión, el Administrador de la Ciudad o su designado responderá por escrito y, cuando corresponda, en un formato accesible para el demandante, con una resolución final de la queja.

Todas las quejas por escrito recibidas por Jace Schwarm o su designado, apelan al Gerente de la Ciudad o su designado, y las respuestas de estas dos oficinas serán retenidas por la Ciudad durante al menos tres años.

Cualquier reclamante tiene derecho a presentar reclamaciones directamente a la agencia estatal o federal correspondiente que proporciona asistencia financiera federal a la Ciudad.



Ciudad de Encinitas / Distrito del Agua de San Dieguito

505 South Vulcan Ave

Encinitas, CA 92024

TÍTULO VI COORDINADOR

760-633-2636, 760-633-1228 Fax, 760-633-2700 TTY

TÍTULO VI FORMULARIO DE RECLAMACIÓN

Nombre: _____

Dirección: _____

Número de teléfono: _____ Dirección de correo electrónico: _____

SI UN REPRESENTANTE LEGALMENTE AUTORIZADO PRESENTA LA QUEJA EN SU NOMBRE, TAMBIÉN DEBE INCLUIR SU NOMBRE, DIRECCIÓN Y NÚMERO DE TELÉFONO.

Nombre del
representante: _____

Dirección: _____

Número de teléfono: _____ Dirección de correo electrónico: _____

Descripción de la queja y por qué cree que fue discriminado: (adjunte páginas adicionales si es necesario):

Fecha de presunta discriminación:

Nombre de la (s) parte (s) involucrada (s): incluya el nombre y la información de contacto de la (s) persona (s) que lo discriminaron (si se conoce), así como los nombres y la información de contacto de cualquier testigo, si corresponde.

Si el supuesto incidente involucró a una agencia estatal / federal, indique el nombre (s):

Resolución apropiada para resolver su queja:

¿Ha presentado previamente una queja de Título VI ante la Ciudad de Encinitas / Distrito de Agua de San Dieguito:

SI NO

¿Ha presentado esta queja ante alguna otra agencia federal, estatal o local, o ante cualquier otro tribunal federal o estatal? Si es así, ¿dónde?

Se requiere la firma y la fecha a continuación para completar el formulario:

X
Firma (Reclamante o su representante autorizado) Fecha

Dentro de los 15 días calendario posteriores a la recepción de la queja, la Ciudad se reunirá con el demandante para discutir el cumplimiento y la posible resolución. Dentro de los 15 días calendario de la reunión, la Ciudad responderá por escrito y explicará la posición de la Ciudad y ofrecerá opciones para la resolución. (Consulte los Procedimientos de queja del Título VI)

Complete y envíe el formulario a:

**Ciudad de Encinitas /Distrito del Agua de San Dieguito
A la atención de: Jace Schwarm, Coordinador del Título VI
505 S. Vulcan Avenue
Encinitas, CA 92024**

~ LA QUEJA SE PUEDE PRESENTAR VERBALMENTE O POR ESCRITO ~

La Ciudad de Encinitas es una entidad pública de acción afirmativa y no discrimina por motivos de raza / color, origen nacional, sexo, religión, edad o discapacidad en el empleo o las disposiciones del servicio. Notifique a la Ciudad de Encinitas 72 horas o más antes de que se necesiten adaptaciones para discapacitados.

**CITY OF ENCINITAS
ADMINISTRATIVE MANUAL**

Policy Title: Title VI of the Civil Rights Act of 1964 **Section:** General
Non Discriminatory Statement for Publications

Responsible Department: Risk Management **Number:** G54

Approved By: City Council **Date Approved:**

Amended:

1.0. Philosophy

The City of Encinitas/San Dieguito Water District (City) operates its programs and services, in accordance with Title VI of the Civil Rights Act of 1964 and all related acts and statutes (Title VI). Title VI and related statutes prohibiting discrimination in Federally assisted programs require that no person in the United States of America shall, on the grounds of race, color, nation origin, sex, age or disability be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal assistance. Recruitment materials or publications for program participants, beneficiaries, applications and employees must contain an appropriate non-discrimination statement.

2.0. Method

2.1. The City will include in all publications, notifications and forms for the public, a non-discriminatory statement.

2.1.1 THE CITY IS AN AFFIRMATIVE ACTION PUBLIC ENTITY AND DOES NOT DISCRIMINATE ON THE BASIS OF RACE, COLOR, NATIONAL ORIGIN, SEX, AGE, OR DISABILITY IN EMPLOYMENT OR THE PROVISION OF SERVICE. PLEASE NOTIFY THE CITY CLERK DEPARTMENT OR RISK MANAGEMENT 72 HOURS OR MORE, PRIOR TO DISABILITY ACCOMMODATIONS BEING NEEDED.



**CITY OF ENCINITAS
San Dieguito Water District**



TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

TITLE VI NOTICE TO THE PUBLIC

In accordance with Title VI of the Civil Rights Act of 1964 and all related acts and statutes (Title VI), the City of Encinitas/San Dieguito Water District ("City") operates its programs and services without regard to race, color, national origin, sex, age or disability. Title VI and related statutes prohibits discrimination in Federally assisted programs requires that no person in the United States of American shall, on the grounds of race, color, national origin, sex, age or disability be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal Assistance.

Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the City of Encinitas/San Dieguito Water District. Any such grievance must be in writing and submitted to the City's Title VI Compliance Officer within 60 days following the date of the alleged occurrence.

For more information on the City of Encinitas/San Dieguito Water District civil rights program, and the procedures to file a complaint, contact:

**Jace Schwarm, Title VI Coordinator
City of Encinitas/San Dieguito Water District
505 S. Vulcan Avenue
Encinitas, CA 92024
(760) 633-2636 (Voice, (760) 633-2700 (TTY), (760) 633-1228 (Fax)
Email: jschwarm@encinitasca.gov**

Note that Complainant has the right to file grievances directly to the appropriate State or Federal agency providing financial assistance to the City/District.

If information is needed in another language, contact (760) 633-2636.



CIUDAD DE ENCINITAS
Distrito del agua de San Dieguito



TÍTULO VI DE LA LEY DE DERECHOS CIVILES DE 1964

TÍTULO VI AVISO AL PUBLICO

De acuerdo con el Título VI de la Ley de Derechos Civiles de 1964 y todos los actos y estatutos relacionados (Título VI), la Ciudad de Encinitas / San Dieguito Water District ("Ciudad") opera sus programas y servicios sin distinción de raza, color, nacionalidad, origen, sexo, edad o discapacidad. El Título VI y los estatutos relacionados prohíben la discriminación por parte de entidades que reciban asistencia federal. Ninguna persona en los Estados Unidos sera objeto de discriminacion debido a su raza, color, sexo, discapacidad, edad u origen nacional, en cualquier programa o actividad que recibe ayunda federal asistencia.

Cualquier persona que crea que ella o él han sido perjudicada por cualquier práctica discriminatoria ilegal bajo el Título VI puede presentar una queja ante la Ciudad de Encinitas / San Dieguito Water District. Cualquier queja debe ser por escrito y presentada al Título VI de la Ciudad Oficial de cumplimiento dentro de los 60 días posteriores a la fecha del supuesto hecho.

Para obtener más información sobre los derechos civiles de la Ciudad de Encinitas / San Dieguito Water District, programa y los procedimientos para presentar una queja, comuníquese con:

Jace Schwarm, Coordinador del Título VI
Ciudad de Encinitas / Distrito del Agua de San Dieguito
505 S. Vulcan Avenue
Encinitas, CA 92024
(760) 633-2636 (Voz, (760) 633-2700 (TTY), (760) 633-1228 (Fax)
Correo electrónico: jschwarm@encinitasca.gov

Tenga en cuenta que el demandante tiene derecho a presentar quejas directamente a la agencia estatal o federal correspondiente que proporciona asistencia financiera a la ciudad / distrito.

Si necesita información en otro idioma, comuníquese con (760) 633-2636.