MONTEREY COUNTY

COMMISSION ON DISABILITIES

1441 SCHILLING PLACE, SALINAS, CA 93901 (831) 755-5117 ~ Fax (831) 796-8521



COMMISSION ON DISABILITIES MEETING

Monday, September 25, 2023 2:00 p.m. 1441 Schilling Place, 1st Floor – Cayenne Room Salinas, CA 93901

AGENDA

THE MONTEREY COUNTY COMMISSION ON DISABILITIES welcomes and encourages all interested persons to attend and participate in the discussion. Meetings are held on the last Monday of every other month at 2:00 p.m. in the Monterey County Government Center, 1441 Schilling Place, 1st Floor – Cayenne Room, Salinas, CA 93901. All meetings are conducted in compliance with the Ralph M. Brown Act, Government Code §54950, et seq.

ANY PERSON WISHING TO ADDRESS THE COMMISSION on Agenda or Non-agenda topics may do so at the appropriate time after receiving recognition from the Chairperson. Persons doing so should state their name and address or organization/ agency, prior to making their comments or asking questions. Persons speaking on Non-agenda topics should do so only during the section of the Agenda reserved for "Public Comments and Petitions." Persons wishing to comment on an Agenda topic should do so when that topic has been reached on the Agenda. Comments should be brief and limited to the subject matter. Reasonable time limitations may be imposed at the discretion of the Chairperson. An emergency item (as defined by the Brown Act) may be added to the agenda only by vote of the Commission.

DISABILITY ACCESS: The Cayenne Room, 1st Floor is wheelchair accessible. The following services are available when requests are made by Wednesday before the Commission meeting: American Sign Language interpreters or use of a reader during a meeting; large print agenda or minutes in alternative format; assistive listening devices. Please contact the Civil Rights Office (831) 755-5117, if you need assistance in order to participate in a public meeting or if you need the agenda and public documents modified as required by Section 202 of the Americans with Disabilities Act.

DOCUMENT DISTRIBUTION: Documents related to agenda items that are distributed to the Commission less than 72 hours prior to the meeting shall be available for public inspection at the Civil Rights Office, 1441 Schilling Place, Salinas, CA 93901. Documents distributed to the

Commission at the meeting by Staff will be available at the meeting; documents distributed to the Commission by members of the public shall be made available after the meeting.

Members of the Public may participate in meetings in one of two ways:

- 1. You may attend the meeting in person; or,
- 2. You may observe the live stream of the meeting via computer by clicking on the following Zoom link:

PLEASE NOTE: IF ALL PARTICIPATING COMMISSION MEMBERS ARE PRESENT IN PERSON, PUBLIC PARTICIPATION BY ZOOM IS FOR CONVENIENCE ONLY AND IS NOT REQUIRED BY LAW. IF THE ZOOM FEED IS LOST FOR ANY REASON, THE MEETING MAY BE PAUSED WHILE A FIX IS ATTEMPTED BUT THE MEETING MAY CONTINUE AT THE DISCRETION OF THE CHAIRPERSON.

https://montereycty.zoom.us/j/97887148263?pwd=ZkNLV2o4Vy9pV0o3Y1k4Q3pxbGZBdz09

or the public may listen via phone by dialing 1-669-900-6833 and then when prompted, entering the Meeting ID 978 8714 8263 Access Code and Password 544745. You will be asked for a "Participant ID". You do not need a Participant ID to join the meeting, press the pound key (#) again and you will be automatically connected.

- 3. If a member of the public wishes to comment on a particular agenda item, the public is strongly encouraged to submit their comments in writing via email to the Civil Rights Office at CivilRights@co.monterey.ca.us by 2:00 p.m. on the Wednesday prior to the meeting. To assist County staff in identifying the agenda item to which the comment relates, the public is requested to indicate the Commission on Disabilities date and agenda item in the subject line. Comments received by the 2:00 p.m. Wednesday deadline will be distributed to the Commission and will be placed in the record.
- 4. Members of the public wishing to comment on a specific agenda item while the matter is being heard may participate by any of the following means:
 - a. When the Chairperson calls for public comment on an agenda item, Civil Rights Office staff will first ascertain who wants to testify (among those who are in the meeting electronically or telephonically) and will then call on speakers and unmute their device one at a time. Public speakers may be broadcast in audio form only.
 - b. If speakers or other members of the public have documents they wish to distribute to the Commission for an agenda item, they are encouraged to submit such documents by 2:00 p.m. on Wednesday before the meeting to: CivilRights@co.monterey.ca.us. To assist staff in identifying the agenda item to which the comment relates, the public is

- requested to indicate the Commission on Disabilities date and agenda number in the subject line.
- c. If members of the public want to present documents/Power Point presentations while speaking, they should submit the document by 2:00 p.m. on Tuesday before the meeting at CivilRights@co.monterey.ca.us (If submitted after that deadline, staff will make best efforts, but cannot guarantee, to make it available to present at the Commission meeting.)
- d. While the matter is being heard, a member of the public may submit a comment via email, preferably limited to 250 words or less, to Civil Rights Office staff at CivilRights@co.monterey.ca.us. To assist staff in identifying the agenda item to which the comment relates, the public is requested to indicate the Commission on Disabilities date and agenda number in the subject line. If the comment is received prior to close of public comment on an agenda item, every effort will be made to read the comment into the record, but some comments may not be read out loud due to time limitations or length of the comment (if the comment exceeds 250 words). Comments received prior to the close of the public comment period on an agenda item will be made part of the record for that item.
- 5. Members of the public who wish to make a general public comment for items not on the day's agenda may submit their comment via email, preferably limited to 250 words or less, to Civil Rights Office staff at CivilRights@co.monterey.ca.us. The Commission on Disabilities meeting date and "general comment" should be indicated in the subject line. The comment will be placed on the record for the meeting, and every effort will be made to read the comment into the record at the appropriate time on the agenda.
- 6. Individuals with disabilities who desire to request a reasonable accommodation or modification to observe or participate in the meeting may make such request by sending an email to CivilRights@co.monterey.ca.us. The request should be made no later than noon on the Monday prior to the Commission meeting in order to provide time for County to address the request.
- 7. The Chairperson and/or Vice-Chairperson may set reasonable rules as needed to conduct the meeting in an orderly manner.

COMISIÓN SOBRE DISCAPACIDADES JUNTA REGULAR

Lunes 25 de septiembre del 2023 2:00 p.m. 1441 Schilling Place, Primero Piso – Sala *Cayenne* Salinas, CA 93901

AGENDA

LA COMISIÓN SOBRE DISCAPACIDADES DEL CONDADO DE MONTEREY da la bienvenida y alienta a toda persona interesada a acudir y participar en la discusión. Las juntas se llevan a cabo el último lunes de cada dos meses a las 2:00 p.m. en el Salón *Cayenne* de la sede de gobierno del Condado de Monterey ubicado en 1441 Schilling Place, Salinas, California 93901. Todas las juntas se llevan a cabo en cumplimiento con la Ley Ralph M. Brown, Código de Gobierno (*Government Code*) §54950, *et seq*.

CUALQUIER PERSONA QUE QUIERA DIRIGIRSE A LA COMISIÓN acerca de asuntos agendados o no agendados, puede hacerlo en el momento oportuno después de ser reconocido por la presidenta/el presidente de la Comisión. Antes de hacer comentarios o preguntas, las personas que sean reconocidas deben dar su nombre y dirección o el nombre de la organización o agencia que representan. Si una persona quiere hacer un comentario acerca de un asunto no agendado, lo puede hacer durante la sección de la Agenda reservada para "Comentarios Públicos y Peticiones." Si una persona quiere hacer un comentario acerca de un asunto agendado, debe hacerlo cuando se llame el asunto. Los comentarios deben ser breves y limitarse al asunto. La presidenta/el presidente, a su discreción, puede imponer límites de tiempo razonables. Un asunto de emergencia (de acuerdo a la definición de la Ley Brown) puede ser agregado a la agenda exclusivamente por voto de la Comisión.

ACCESO PARA DISCAPACITADOS: El Salón *Cayenne* es accesible a personas con sillas de ruedas. Los siguientes servicios están disponibles cuando se soliciten antes del miércoles previo a la junta de la Comisión: intérpretes de lenguaje de señas o el uso de un lector durante la junta; la agenda o acta de reunión en letra grande o en formato alternativo; dispositivos de escucha asistida. Por favor llame a la Oficina de Derechos Humanos (*Civil Rights Office*) al (831) 755-5117, si necesita asistencia para participar en la reunión pública o si necesita que se modifique la agenda o comentarios públicos como es requerido por la Sección 202 de la Ley de Americanos con Discapacidades.

DISTRIBUCIÓN DE DOCUMENTOS. Los documentos relacionados con la agenda que fueron proporcionados a la Comisión menos de 72 horas antes de la junta serán puestos a disposición del público en la Oficina de Derechos Humanos (*Civil Rights Office*) ubicada en 1441 Schilling Place, Salinas, California 93901. Cualquier documento proporcionado a la Comisión estará disponible

en la junta; documentos proporcionados a la Comisión por miembros del público serán disponibles después de la junta.

El público puede participar en las juntas en las siguientes maneras:

- 1. Puede ir a la junta en persona; o,
- 2. Puede observar la junta en vivo a través de una computadora en el siguiente enlace de Zoom:

TOME NOTA: SI TODOS LOS COMISIONADOS ESTÁN PRESENTES, LA PARTICIPACIÓN POR ZOOM ES SOLAMENTE COMO CONVENIENCIA Y NO ES REQUERIDA POR LEY. SI LA CONEXIÓN POR ZOOM SE PIERDE POR CUALQUIER RAZÓN, LA JUNTA PUEDE DETENERSE MOMENTÁNEAMENTE PARA ARREGLAR LA CONEXIÓN, PERO LA JUNTA PUEDE PROSEGUIR A DISCRECIÓN DE LA/EL PRESIDENTA/E.

https://montereycty.zoom.us/j/97887148263?pwd=ZkNLV2o4Vy9pV0o3Y1k4Q3pxbGZBdz09; o,

puede escuchar la junta en vivo a través de teléfono al marcar 1-669-900-6833 y, cuando se lo pidan, marcar el número 978 8714 8263 como *Meeting ID Access Code* (código de identificación de junta) y 544745 como *Password* (contraseña). Le van a preguntar por un número de participante (*Participant ID*). No necesita un número de participante para atender la junta; presione la tecla numeral (#) y será conectado automáticamente.

- 3. Si el público desea comentar acerca de un tema agendado, se pide que envíen su comentario por escrito a la Oficina de los Derecho Humanos a <u>derechoshumanos@co.monterey.ca.us</u> antes de las 2:00 p.m. del miércoles previo a la junta. Para poder identificar el asunto, favor de incluir el tema que se quiera comentar y la fecha de la junta. Comentarios recibidos antes de las 2:00 p.m. del miércoles previo a la junta se distribuirán a la Comisión y serán incluidos en el acta de reunión.
- 4. Personas que quieran comentar acerca de un asunto agendado pueden participar de las siguientes maneras:
 - a. Cuando el/la presidente/a indique que se reciben comentarios del público, personal de la Oficina de Derechos Humanos (*Civil Rights Office*) primero determinarán quién quiere comentar entre los que están presentes electrónica o telefónicamente y llamarán a que comenten uno por uno. Los comentarios de las personas serán trasmitidos por audio únicamente.
 - b. Si una persona que está comentando u otras personas del público quieren proporcionar documentos a la Comisión acerca de un tema agendado, pueden enviar los documentos antes de las 2:00 p.m. del miércoles previo a la junta a derechoshumanos@co.monterey.ca.us. Para poder identificar el tema agendado, favor de incluir la fecha y el número de asunto agendado.

- c. Si una persona que está comentando quiere presentar documentos o una presentación por PowerPoint al comentar, debe enviar los documentos o la presentación antes de las 2:00 p.m. el miércoles previo a la junta a <u>derechoshumanos@co.monterey.ca.us</u>. (Si los envían después de la fecha límite, personal de la Oficina de Derechos Humanos (*Civil Rights Office*) intentará tener los documentos o presentación disponible en la junta, pero no lo puede garantizar.
- d. Una persona puede enviar documentos acerca de un asunto que se está discutiendo por correo electrónico, de preferencia no más de 250 palabras, a la Oficina de Derechos Humanos (*Civil Rights Office*) al correo derechoshumanos@co.monterey.ca.us. Favor de incluir el número de agenda del asunto y la fecha de la junta. Si se recibe el comentario antes de que se terminen los comentarios públicos en un tema agendado, se intentará leer el comentario para que conste en el acta, pero algunos comentarios no se podrán leer debido a limitaciones de tiempo o el tamaño del comentario (si excede 250 palabras). Comentarios recibidos antes de que termine el periodo de comentario del público de un asunto agendado serán incluidos en el acta de la junta para ese asunto.
- 5. Personas que quieran hacer un comentario general para asuntos no agendados ese día pueden enviar sus comentarios, de preferencia de 250 palabras o menos, por correo electrónico, a la Oficina de Derechos Humanos (*Civil Rights Office*) al correo electrónico derechoshumanos@co.monterey.ca.us. Favor de incluir la fechade la junta e indicar que es un "comentario general". El comentario se incluirá en el acta de la junta, y se intentará leer el comentario para el acta durante el momento apropiado de la agenda.
- 6. Personas con discapacidades que necesiten una modificación razonable para observar o participar en la junta pueden enviar su solicitud por correo electrónico a derechoshumanos@co.monterey.ca.us. La solicitud debe ser enviada a más tardar a mediodía del miércoles antes de la junta de la Comisión para que el Condado tenga tiempo de otorgarla.
- 7. La presidenta/el presidente o vicepresidenta/e pueden crear reglas para que la junta se lleve a cabo de manera ordenada.

I. ROLL CALL AND GREETING OF VISITORS

II. PUBLIC COMMENT

This portion of the meeting is reserved for persons to address the Commission on any matter not on this agenda but under the jurisdiction of the Commission on Disabilities.

III. <u>ACTION ITEM: APPROVAL OF MINUTES</u> Approve the draft Action Minutes of July 31, 2023

- IV. <u>RECEIVE PRESENTATION: BUSINESS COMPLIANCE WITH ADA—THE ROLE</u> OF A CASP – COMMISSIONER MILLER
- V. RECEIVE AND DISCUSS PRESENTATION: OPPORTUNITIES TO INCREASE ACCESS FOR ALL AT SMALL BUSINESSES APRIL DAWSON, EXECUTIVE DIRECTOR CALIFORNIA COMMISSION ON DISABILITIES ACCESS (CCDA)
- VI. <u>DISCUSS UPDATES TO MONTEREY COUNTY'S TITLE VI CIVIL RIGHTS ACT</u> IMPLEMENTATION PLAN – LEESET TORRES, CIVIL RIGHTS OFFICE
- VII. REVIEW, DISCUSS AND APPROVE UPDATED COD MARKETING MATERIALS –LEESET TORRES, CIVIL RIGHTS OFFICE
- VIII. RECEIVE AN UPDATE ON COD GOAL/OBJECTIVE 2.2 COMMISSIONER GONZALES
- IX. RECEIVE AN UPDATE ON COD GOAL/OBJECTIVE 2.3 COMMISSIONER SOFER
- X. RECEIVE AND DISCUSS THE COD MEETING SCHEDULE FOR 2024 LEESET TORRES, CIVIL RIGHTS OFFICE

XI. <u>ANNOUNCEMENTS AND EVENTS</u>

XII. FUTURE AGENDA ITEMS

- a. In-Home Supportive Services Advisory Committee Report
- b. Commission on Disabilities Bylaws
- c. Blue Zones Presentation
- d. Commission on Disabilities Facebook Account
- e. Annual Report/Discussion (November)
- f. Invitation/Presentation Member of the Board
- g. Approve 2024 COD Meeting Schedule (November)
- h. Election of Chair and Vice Chair For 2024 (January)

XIII. ADJOURNMENT

MONTEREY COUNTY

COMMISSION ON DISABILITIES

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AGENDA ITEM NO. III
ATTACHMENT: COD Action Minutes of July 31, 2023

MONTEREY COUNTY

COMMISSION ON DISABILITIES

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MONTEREY COUNTY COMMISSION ON DISABILITIES REGULAR MEETING

MONDAY, JULY 31, 2023

MINUTES

I. Call to Order and Introductions

Vice Chairperson Sugabo called the Regular Meeting to order at 2:02 p.m. <u>Commissioners Present</u> – John Gay, Roger Miller, Libby Sofer, Cristy Sugabo, Lilia Chagolla and Lorraine Gonzales.

<u>Commissioners Absent</u> – Johnny Morales and Nona Childress
<u>Staff Present</u> – Senior Equal Opportunity Analyst, Leeset Torres;
Administrative Secretary, Ruby Jacinto; and Deputy County Counsel, Marina Pantchenko

II. Public Comment

None.

III. Action Item: Approval of the Regular Meeting Action Minutes of May 22nd, 2023.

The Commission on Disabilities approved the draft Action Minutes of May 22, 2023.

Commissioner Gay made a motion to approve the Regular Meeting minutes of May 22, 2023 as submitted; seconded by Commissioner Sofer; motion passed by the following vote:

AYES: Sugabo, Chagolla, Sofer, Gonzales, Miller, and Gay

NOES: None

ABSENT: Childress and Morales

ABSTAIN: None

IV. <u>Discuss and Approve Graphics for COD Strategic Planning Objective 1:1:</u> Launch Social Media Platforms – Civil Rights Office

Emi Wilbur, CRO Intern, gave a presentation on COD flyer and graphics for social media platforms.

The COD reviewed, discussed, and approved the COD flyer and graphics as presented.

Commissioner Chagolla made a motion to approve the COD flyer and graphics for social media platforms; seconded by Commissioner Sofer; motion passed by the following vote:

AYES: Sugabo, Chagolla, Sofer, Gonzales, Miller, and Gay

NOES: None

ABSENT: Childress and Morales

ABSTAIN: None

V. <u>Discuss and Approve Meeting Schedule for County's Social Media for COD Strategic Planning Objective 1.1: Launch Social Media Platforms – Civil Rights Office</u>

Leeset Torres, Senior Equal Opportunity Analyst, gave a presentation on COD meeting schedule for social media platforms.

The COD reviewed, discussed, and approved the meeting schedule as presented.

Commissioner Chagolla requested to have the COD Meeting Schedule for 2024 added to the agenda for the next regularly scheduled COD meeting in September for review and approval.

Commissioner Chagolla made a motion to approve the meeting schedule as discussed; seconded by Commissioner Sofer; motion passed by the following vote:

AYES: Sugabo, Chagolla, Sofer, Gonzales, Miller, and Gay

NOES: None

ABSENT: Childress and Morales

ABSTAIN: None

VI. Review, Discuss and Approve Letter of Introduction for COD Strategic Planning Objective 2.1: Create a Service Provider List that Identifies Current Partners and Potential New Partners – Commissioner Sofer & Sugabo

Leeset Torres, Senior Equal Opportunity Analyst, gave a verbal presentation on the COD Letter of Introduction. The COD reviewed, discussed, and approved COD Letter of Introduction as presented.

Commissioner Sofer made a motion to approve the letter of introduction as discussed; seconded by Commissioner Gay; motion passed by the following vote:

AYES: Sugabo, Chagolla, Sofer, Gonzales, Miller, and Gay

NOES: None

ABSENT: Childress and Morales

ABSTAIN: None

VII. Receive an Update on COD Email Account for COD Strategic Planning Objective 2.1: Create a Service Provider List that Identifies Current Partners and Potential New Partners – Civil Rights Office

Leeset Torres, Senior Equal Opportunity Analyst, gave an update on the COD email account.

VIII. Review, Discuss and Approve COD Business Cards - Civil Rights Office

Leeset Torres, Senior Equal Opportunity Analyst, gave a presentation on the COD business cards.

The COD reviewed, discussed, and approved the COD business cards with the following revisions:

Include COD email and phone number Replace "title" with "Commissioner" Address line should be 2 lines and centered Increase font size on contact info Add QR Code on backside of card

Commissioner Chagolla made a motion to approve the COD business cards as revised; seconded by Commissioner Gay; motion passed by the following vote:

AYES: Sugabo, Chagolla, Sofer, Gonzales, Miller, and Gay

NOES: None

ABSENT: Childress and Morales

ABSTAIN: None

IX. Review, Discuss, and Approve Assignments and Updates to COD Strategic Plan – Civil Rights Office

Leeset Torres, Senior Equal Opportunity Analyst, gave a presentation on the assignments for COD Strategic Plan.

Commissioner Sugabo gave a status update on Objective 1.1 and requested to update the proposed implementation from spring 2022 to fall 2023.

Commissioner Chagolla gave a status update on Objective 1.3 and requested to add COD QR code to social media flyers and fact sheet. Chairperson Chagolla will draft COD Fact Sheet.

COD Goal/Objective 2.1; goal accomplished.

Commissioner Gonzales gave a status update on Objective 2.2 and requested to update the proposed implementation from spring 2023 to spring 2024.

Commissioner Sofer gave a status update on Objective 2.3. Commissioner Sofer will contact CCIL about scheduling a presentation for COD meeting in November. Commissioner Sofer will give a status update at the next COD meeting in September.

COD Goal/Objective 2.6; goal accomplished spring 2023.

Commissioner gave a status update on Objective 3.3. Commissioner Miller will give a 20-min ADA presentation at the next COD meeting in September.

COD Goals/Objectives 4.1 and 4.2; goals accomplished.

The COD discussed next steps regarding unassigned assignments/objectives and approved to table those items for further discussion at the next COD meeting in September.

Commissioner Chagolla made a motion to table the COD unassigned assignments/objectives as discussed; seconded by Commissioner Sofer; motion passed by the following vote:

AYES: Sugabo, Chagolla, Sofer, Gonzales, Miller, and Gay

NOES: None

ABSENT: Childress and Morales

ABSTAIN: None

X. Review, Discuss, and Approve COD's Availability and Logistics for the Annual West End Celebration in Sand City – Civil Rights Office

The COD discussed and provided feedback on their availability to participate in the Annual West End Celebration.

Commissioner Sofer will follow up with Sand City and connect with CRO with more information. CRO will distribute COD flyers at this event.

XI. Announcements and Events

West End Event Drum Classes – August 6th and 7th

XII. Future Agenda Items

CCIL Presentation
Addition of Strategic Plan Unassigned Goal Objectives: 1:2, 2:4, 3:1 and 3:2
2024 Meeting Schedule

XIII. Adjournment

The meeting was adjourned at 3:52 p.m.

MONTEREY COUNTY

COMMISSION ON DISABILITIES

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AGENDA ITEM NO. IV
ATTACHMENT: Business Compliance with ADA PowerPoint Presentation

MONTEREY COUNTY BOARD OF SUPERVISORS COMMISSION ON DISABILITIES

BUSINESS COMPLIANCE WITH ADA - THE ROLE OF A CASP

ROGER MILLER

SEPTEMBER 25, 2023





ROGER MILLER

Certified Access Specialist (CASp)

Construction Manager

Eagle Project Management LLC

798 Lighthouse Ave, Monterey, CA 93940

(831) 521-9360 / Roger@Eaglepromanagement.com

www.eaglepromanagement.com

ROGER MILLER

Not an Architect or Attorney

THE UNDERLYING ISSUE

The Built Environment Typically is

NOT ACCESSIBLE

Imagine Yourself Paralyzed for a Day

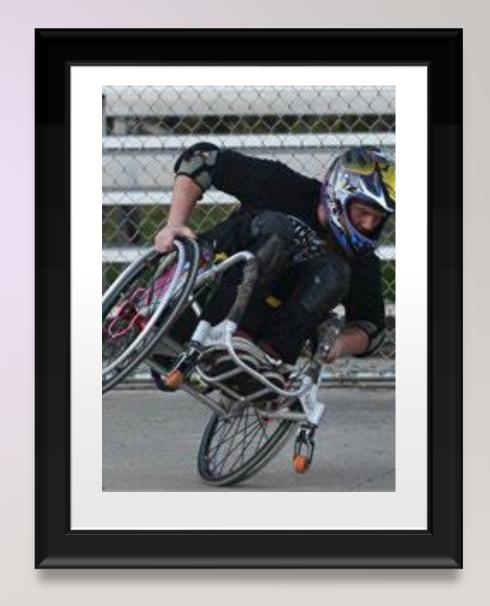
FOCUS ON PUBLIC ACCOMMODATIONS (TITLE III)

- 12 Categories
 - stores,
 - restaurants,
 - bars,
 - service establishments,
 - theaters,
 - hotels,

- recreational facilities,
- private museums and schools,
- doctors' and dentists' offices,
- shopping malls, and
- other businesses.

Different Requirements For Government Properties and Multi-Family Housing

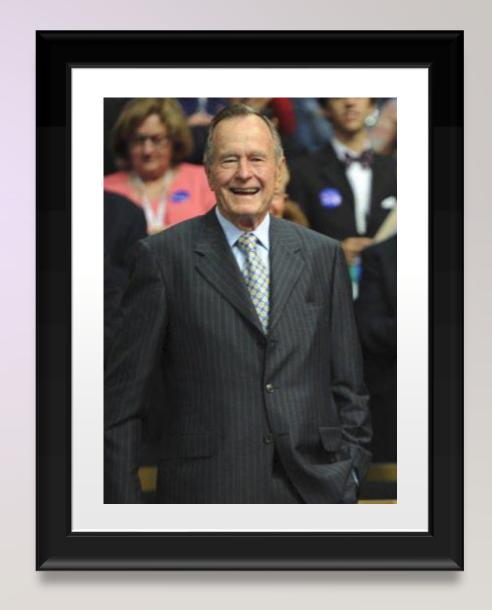
HANDICAPPED DISABLED



EQUAL - EQUAL

"Let the shameful wall of exclusion finally come tumbling down. This historic act is the world's first comprehensive declaration of equality for people with disabilities — the first."

President George H.W. Bush
1990 signing of Americans with Disabilities Act (ADA)



WHY PROVIDE ACCESSIBILITY?

- Good for Business
 - \$3 Trillion Market Segment
- Good for Disabled Individuals
 - We are ALL Likely to Have Some Disability in Our Lifetime
 - Productive Community Members
 - Function in Society with Dignity
- Discriminating against Individuals Because of a Disability
 - Illegal and Wrong

ILLEGAL TO DISCRIMINATE AGAINST DISABLED INDIVIDUALS

- What do I have to do to make my Business Accessible?
 - Regulations and Laws are Complicated, but There is Help
- Regulations are enforced by Building Permit or Lawsuit

HOW DO I AVOID A LAWSUIT?

- Make your Property Fully Accessible
- Have Your Property Inspected and
 - Develop an Implementation Plan
- Do a Pre-purchase Investigation
 - BEFORE YOU BUY or LEASE a PROPERTY
- Accommodate Special Needs Of Disabled Individuals

COMMON MISCONCEPTIONS ABOUT LAWSUITS

- The Americans with Disabilities Act is a building code not law.
- ADA accessibility lawsuits are frivolous lawsuits.
- All ADA plaintiffs are vexatious litigants.
- A pre-litigation notice is necessary before a lawsuit can be filed.
- Only landlords, not tenants, are liable for removing accessibility barriers.

COMMON MISCONCEPTIONS ABOUT LAWSUITS (CONT.)

- Older buildings are exempt from ADA ("Grandfathered")
- A business that settles a lawsuit cannot be sued again
- Using a licensed general contractor guarantees compliance
- Getting building permit guarantees compliance
- Only those in wheelchairs are considered disabled persons
- Nothing done in California to decrease unwarranted litigation.

TOPTEN ALLEGED CONSTRUCTION-RELATED ADA VIOLATIONS 2020

- Parking Noncompliant Spaces (16%)
- Access to Public Facility (11%)
- Parking Van-Accessible/ Loading (10%)
- Path of Travel Vertical Transitions (8%)
- Path of Travel Route from Lot or Street (7%)

- Parking Signage (6%)
- Path of Travel Interior (5%)
- Path of Travel Obstacle (5%)
- Parking Spaces (4%)
- Path of Travel Too Far or Segregated
 (3%)

(Source: Appendix B 2020 Annual Report CA Commission on Disability Access

EXAMPLES



EXAMPLES





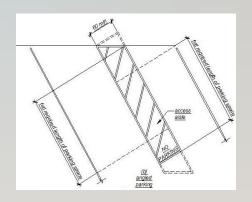




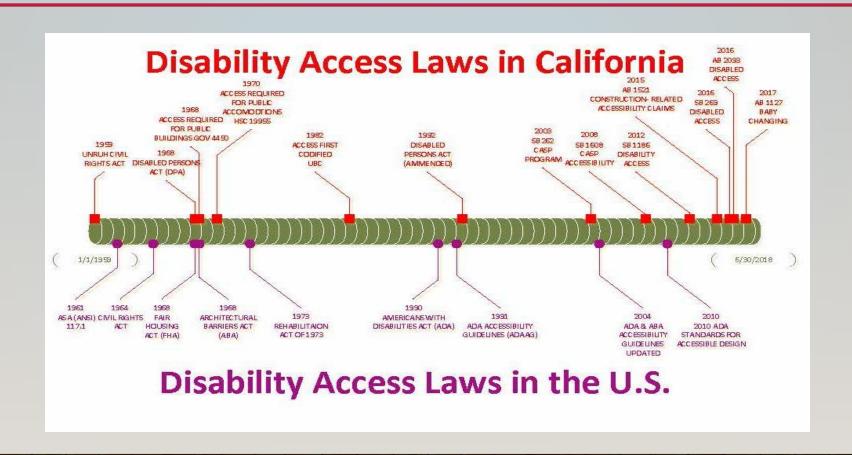








DISABILITY ACCESS LAWS



HIGHLIGHTS

- Unruh Act (amended) Includes Minimum Damages for Violations of ADA
- Senate Bill (SB) 1608
 - Established Certified Access Specialist program (CASp)
 - Promotes Voluntary Compliance and Prevention
 - Can Provide Legal Protections and Reduce Damages
- SB 269 I20-Day Grace Period After Inspection
- SB 1186 60-Day Grace Period From a Claim
- Assembly Bill (AB) 3002 Building Officials Encourage CASp Inspections

CAL. CIV. CODE § 55.54

- Possible Stay and Reduced Statutory Damages
 - Property has a Certified Access Specialist (CASp) inspection report for that site

OR

 Site where new construction or improvement was approved after January 1, 2008, by the local building permit and inspection process

OR

• Small Business (less than 25 employees and meeting revenue guidelines) and all the alleged construction-related accessibility violations are corrected within 30 days of being served with the complaint.

CAL. CIV. CODE § 55.54

Forms

- DAL-005 Defendant's Application for Stay of Proceedings and requests a stay of proceedings and early evaluation conference
- Notice of Stay of Proceedings and Early Evaluation Conference, Joint Inspection (DAL-010)

WHAT COULD A LAWSUIT COST ME?

- Unruh Act (amended) Includes Minimum Damages for Violations of ADA
 - 3X Actual Damages
 - Minimum of \$4,000
 - Plus Attorney's Fees
- Inspection: Typically costs less than the settlement for 1 violation
- Working with a CASp Gives Some Protections

CERTIFIED ACCESS SPECIALIST (CASP)

- Established by SB 1608
- Administered by State of California, Division of the State Architect
- 829 Certified as CASp
 - 347 Do Inspections
- Thoroughly Understands Accessibility Requirements

CERTIFIED ACCESS SPECIALIST (CASP) (CONT.)

- Helps Ensure Compliance
- Protections with Inspection
 - 90 Day Stay
 - Reduced Damages
 - Access to an Early Evaluation Conference May Avoid a Costly Trial.
- Additional Benefits
 - Certificate of Inspection
 - Implementation Plan
 - Allows Budgeting for Facility Accessibility

A CASP CONSULTANT CAN HELP

- Educate Owners
- Pre-Purchase Assessment
- Make Sure Designs are Fully Compliant
 - CASp Review of Design Packages
- Surveys and Accessibility Upgrades
 - Basic CASp Survey
 - Enhanced CASp Survey
 - Recommended Solutions
 - Enhanced CASp Survey and Plan

- Surveys and Accessibility Upgrades (cont.)
 - Budget & Schedule
 - Enhanced CASp Survey and Implementation / Transition Plan / Design Drawings
 - Full Package Survey and Upgrades
 - CM / Owner's Rep (General Contractor or Multi-Prime to Implement Changes)
- Expert Witness / Litigation Support

HOW DO I MAKE MY FACILITY ACCESSIBLE?

- Hire a CASp to Inspect Facility
 - Expensive? Wait Until You Hire an Amateur (This is Not a DIY Type of Project)
 - Typically Costs Less Than the Settlement for I Violation
- Get an
 - Inspection
 - Written Report

HOW DO I MAKE MY FACILITY ACCESSIBLE? (CONT.)

- Develop an Implementation Plan
- Follow the Implementation Plan
- Note:
 - If your Property is a public accommodation built before 1992 and has not had any significant improvements you are required to have a PROGRAM FOR ARCHITECTURAL BARRIER REMOVAL WHERE IT IS READILY ACHIEVABLE

HOW DO I MAKE MY FACILITY ACCESSIBLE? (CONT.)

- Financial Assistance:
 - Tax Credit for Small Businesses (IRS Form 8826)
 - Up to \$5,000
 - Tax Deduction for Businesses (Title 26, Section 44)
 - Up to \$5,125/Year
 - ADA Financing Program (CalCAP)

ROGER MILLER

Certified Access Specialist (CASp)

Construction Manager

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MONTEREY COUNTY

COMMISSION ON DISABILITIES

1441 SCHILLING PLACE, SALINAS, CA 93901 (831) 755-5117 ~ Fax (831) 796-8521



AGENDA ITEM NO. VI
ATTACHMENT: Monterey County's Title VI Civil Rights Act Implementation Plan



Title VI - Civil Rights Act of 1964

Countywide Implementation Plan

December 2023

"Simple justice requires that public funds, to which all taxpayers of all races contribute, not be spent in any fashion which encourages, entrenches, subsidizes, or results in racial discrimination."

-President John F. Kennedy, in his message calling for the enactment of Title VI, 1963

Monterey County Board of Supervisors

Luis Alejo, District 1
Glenn Church, District 2
Christopher Lopez, District 3
Wendy Root Askew, District 4
Mary Adams, District 5

Sonia De La Rosa, County Administrative Officer

This plan was updated by the Civil Rights Office

Juan P. Rodriguez, Civil Rights Officer

Leeset Torres, Senior Equal Opportunity Analyst

This plan was initially developed in 2017 with consultation and support from Natividad Medical Center Language Access Services and County's departments including: the Civil Rights Unit of the Department of Social Services, and the Planning, Evaluation, and Policy (PEP) Unit of the Monterey County Health Department. Many community organizations provided input, ideas, and valuable advice including: the Monterey County Behavioral Health Cultural Relevancy and Humility Committee, Center for Community Advocacy, MILPA, The Village Project, Building Healthy Communities, Mi CASA Hartnell Dreamers Center, LULAC, Community Partnership for Youth, Communities for Sustainable Monterey County, Padres Unidos, Central Coast Hispanic Chamber of Commerce, Commission on the Status of Women, First Five Monterey County, Land Watch Monterey County, Community Action Partnership, Showing Up for Racial Justice/Whites for Racial Equity, Special Kids Crusade, Mental Health Commission, SEIU 521, Central Labor Council, Housing Authority, Domestic Violence Coordinating Council, Area Agency on Aging, Parks Commission, Cachagua Land Use Advisory Committee, Carmel Valley Association, the Equal Opportunity Advisory Commission, and others.

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Monterey County Title VI Statement

Monterey County, under Title VI of the Civil Rights Act of 1964, is committed to providing equal opportunities to all employees, applicants, residents, customers, and persons doing business with the County and will ensure that people may participate in, enjoy the benefits of, and be free from discrimination under any program or activity it administers without regard to race, color, or national origin.

State law and local ordinances further those protections to include additional protected characteristics:

- Age (40 or older);
- Ancestry;
- Religious creed (including religious dress and grooming practices);
- Denial of family and medical care leave;
- Disability (mental and physical) including HIV and AIDS;
- Marital status;
- Medical condition (cancer and genetic characteristics);
- Genetic information;
- Military and veteran status;
- Sex (including pregnancy, child birth, breastfeeding and medical conditions related to pregnancy, child birth or breastfeeding);
- Gender;
- Gender identity and gender expression;
- Sexual orientation; and
- Any other protected status in accordance with all applicable federal, state and local laws (further referred to as "protected categories").

The County of Monterey has developed a notice to the public (**Appendix A**) to inform them of their rights under Title VI. For more information regarding the County's Nondiscrimination Policy, including Complaint Procedures and Complaint Form (**Appendix 1B**, **Appendix 2B**), please visit the County of Monterey Civil Rights Office website (www.co.monterey.ca.us/civilrights).

Summary

The County of Monterey's (County) mission is to excel at providing quality services for the benefit of all Monterey

County residents while developing, maintaining, and enhancing the resources of the area.

- The County of Monterey is committed to assuring honesty and integrity in all County actions.
- The County of Monterey is committed to providing top quality customer service.
- The County of Monterey is committed to practicing continuing innovation.
- The County of Monterey is committed to treating our fellow employees, customers, and residents respectfully and courteously always.

"NO PERSON IN THE UNITED STATES SHALL, ON THE GROUNDS OF RACE, COLOR, OR NATIONAL ORIGIN, BE EXCLUDED FROM PARTICIPATION IN, BE DENIED BENEFITS OF, OR BE SUBJECTED TO DISCRIMINATION UNDER ANY PROGRAM OR ACTIVITY RECEIVING FEDERAL FINANCIAL ASSISTANCE."

The County of Monterey receives a wide array of federal funding. As a recipient of such federal aid, the County must comply with Title VI of the Civil Rights Act of 1964 (Title VI).

Title VI states, in its relevant part, that:

No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

The Civil Rights Restoration Act of 1987 amended each of the affected statutes by adding a section defining the word program to make clear that discrimination is prohibited throughout an entire agency if any part of the agency receives Federal financial assistance.

This implementation plan includes a general overview of how the County of Monterey will comply with Title VI requirements, including how to:

- Handle a Title VI complaints
- Disseminate Title VI information to the public
- Engage the community sincerely and equitably
- Serve Limited English Proficiency populations fairly, and
- Train employees and managers to comply with Title VI.

Other major components of the implementation plan include procedures for preparing annual Title VI reports to measure compliance and ensure accountability and improvements over time.

Any questions about Title VI programs, Monterey County's nondiscrimination obligations, or to file a complaint, can be directed to Montrey County's Civil Rights Office at (831) 755-5117 or civilrights@co.monterey.ca.us.

County Overview

Monterey County is globally recognized for its majestic coastlines including Big Sur, the "Serengeti of the Sea" marine environment, and Carmel by the Sea. Monterey County is also known for its agriculturally rich Salinas Valley, fondly nicknamed the "Salad Bowl of the World." The superb air, quality of life, and arts are widely praised, yet not all populations who live in Monterey County share in these benefits. The Median Household Income range of in Monterey County is vastly polarized On the high end, median household income by neighborhood sits at over \$150,000 while its equal-sized counterpart has a median household income of less than \$50,000.



The Distressed Communities Index documents community economic wellbeing based on an index including high school diploma, housing vacancy, adults not working, poverty, median income ratio, change in employment, and change in businesses. It demonstrates the extreme disparities present in Monterey County.

Monterey Countyhas a diverse population of over 43,000 residents. The racial makeup of the county is approximately 60% Hispanic/Latino/Latinx, 28% White, approximately 7% Asian, 3% African American/Black, and 0.6% American Indian or Alaskan Native.

In addition, Monterey County is the "language capital of the world" due to its many institutes of language and international studies. The Monterey County jurisdiction employs a greater percentage of people in language-related jobs than any other metropolitan area in the country.

The County of Monterey has a very large population of non-English speakers previously estimated at over 25%. The majority of Monterey County's non-English speakers are monolingual Spanish speakers. This presents a unique opportunity for the County of Monterey to employ an increasingly bilingual workforce and provide meaningful, accessible, services to the entirety of the community

Title VI Implementation

The intent of Title VI is to remove barriers and conditions that prevent people of color, minority, low income, Limited English Proficiency (LEP), and other disadvantaged groups and persons from receiving access, participation, and benefits from Federally assisted programs, services, and activities. In effect, Title VI states that fairness and equity is to be promoted in County programs, services, and activities based on the fundamental principle that all human beings are created equal, rooted in the constitutional guarantee that all human beings are entitled to equal protection of the laws.

The County of Monterey is committed to enforcing the provisions of Title VI

County Title VI Coordinator

Monterey County designates the Civil Rights Officer (CRO) as the County's Title VI Coordinator. The County Title VI Coordinator is responsible for the overall Title VI program implementation and performs the lead role in the development and implementation of the Title VI program, including coordinating compliance across County departments. The Title VI Coordinator provides guidance and technical assistance on Title VI matters and has overall program responsibility for developing program procedures, which include:

- Developing Monterey County's Title VI Implementation Plan
- Supporting departments with the implementation of Title VI initiatives
- Promptly processing and resolving Title VI complaints
- Auditing departments to ensure they are complying with Title VI requirements and developing Title VI goals
- Providing resources and training for the organization
- Submitting Title VI reports to the Board of Supervisors
- Coordinating Title VI information for public dissemination, where appropriate, in languages other than English, and
- Providing technical assistance to the Disadvantaged Business Enterprise (DBE) liaison to support DBE compliance.

Countywide Responsibility

Each department within the County of Monterey is responsible for designating a Department Title VI Coordinator and complying with Title VI directives. Specific areas of responsibility include:

- Disseminating Title VI information and policy at public counters that are visible to employees and customers
 - Ensure programs and facilities are accessible in accordance with Title VI of the Civil Rights Act of 1964
 - Review, develops, and implements Title VI goals
 - Oversee implementation of LEP services for their respective department
 - Develop procedures and processes for preventing discrimination and addressing and resolving complaints of discrimination for members of the public
 - Retain a log of Title VI complaints
 - Prepare the annual Title VI Accomplishment Report
 - Ensure that all staff complete Title VI training requirements as set by the County of Monterey
 - Reinforce that federal contracts include the appropriate Title VI assurances

The County Title VI Coordinator/Civil Rights Officer is available to provide guidance and technical assistance to departments.

Complaint Procedures

Any person who believes they have been subjected to unlawful discriminatory practice under Title VI or this Plan has a right to file a formal complaint. Any such complaint shall be filed directly with the Civil Rights Office within 60 days following the date of the alleged discriminatory action. Complainants can also file a complaint directly with the respondent Department. If complaints are filed directly with a department, the department must report the complaint to the Civil Rights Office immediately. Departments must retain a log of Title VI complaints received.

The law prohibits intimidation or retaliation of any kind. A copy of the County's Title VI notice can be found in Appendix A. A copy of the County's Complaint form can be found in Appendix 1B or downloaded by visiting the Monterey County Civil Rights Office webpage. An electronic version of the Complaint Form can be accessed and submitted by visiting https://montereyco.i-sight.com/external-capture. Complaints filed in writing should be directed to:

County of Monterey Civil Rights Office

1441 Schilling Place,

Salinas, California 93901

Email: civilrights@co.monterey.ca.us derechoshumanos@co.monterey.ca.us

Complainants who require assistance in completing the form can contact the Civil Rights Office at (831) 755-5117 or request assistance via email or in person. c

Complainants may submit their complaint form to the County of Monterey Civil Rights Office or to an external state or federal agency. However, should a complaint be filed with the County of Monterey Civil Rights Office and a federal or state agency simultaneously, the state or federal complaint will supersede the County complaint and the County's complaint procedures will be suspended pending the state or federal agency's findings. Every effort will be made to obtain a timely resolution of complaints.

The following procedures will be followed to investigate Title VI complaints:

- 1. A Civil Rights Office Investigator will discuss the situation with the person and determine whether the Monterey County Nondiscrimination Policy and Federal or State laws apply
- 2. An Investigator will prepare an official complaint based on the information supplied by the person making the complaint
- 3. A copy of the complaint is sent to department charged with discrimination
- 4. The respondent submits a written response to the Civil Rights Office, an investigation is conducted, and a finding report is created
- 5. Possible outcomes include: "reasonable cause" evidence is found that supports the claim of discrimination, "no reasonable cause"—there is not enough evidence to support the claim of discrimination, "settlement"—the parties enter into a negotiated agreement which includes remedies, "withdrawal"—the charging party withdraws the complaint, or "administrative closure"—the Civil Rights Office closes the case if the investigation cannot be completed or if the complainant chooses to file the case in court or with another government agency.

Detailed procedures can be found in Appendix 2B, by contacting the Civil Rights Office, or by visitinghttps://www.co.monterey.ca.uscivilrights.

8 Monterey County Title VI Implementation Plan

Language Access Plan

To comply with Title VI and Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency," it is important to identify the demographics and specific language needs of the County's residents and businesses. Collection of language data in Monterey County is limited, inconsistent, and challenging to acquire. Based on the most recent American Community Survey and U.S. Census, 56% of Monterey County's population speaks a language other than English, the most prevalent of which being Spanish. 55% of Montrey's population over the age of five years old report primarily speaking a language other than English at home with 25% of those reported speaking English "less than very well." The majority of our Limited English Proficient (LEP) population speaks Spanish at over 100,000 individuals. Monterey County is also home to several communities (less than 3% per language group) that speak Tagalog, Korean, and Mexican indigenous languages (including but not limited to Mixteco, Triqui, and Chatino).

The Civil Rights Office developed a Language Access Plan for use by departments to address the public's language needs. The Language Access Plan outlines how to provide language assistance to LEP persons who wish to access services provided by Monterey County. The LEP Plan also identifies language assistance needs, the ways in which assistance may be provided, and how to notify LEP persons that assistance is available. The Language Access Plan is included under **Appendix C**.

Community Engagement Guide

The County of Monterey is committed to ensuring that the projects, programs, policies, and services delivered by the County reflect the opinions of Monterey County stakeholders and are sensitive to the diverse demographic backgrounds within the region. The Civil Rights Office prepared a Community Engagement Guide for use by any department to comply with federal regulations and promote public involvement in the planning and decision-making process of projects, programs and services. The Community Engagement Guide is included under Appendix D.

Environmental Justice

In accordance with Executive Order 12898 ("Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations"), the County of Monterey will identify and address the environmental effects of programs, policies, and activities on people of color, minority, and low-income populations. Environmental justice is predicated on fair treatment and equal protection, meaning a just distribution of the benefits and burdens of decisions and actions. No group of people should bear a disproportionate share of the negative environmental consequences resulting from the execution of governmental policies and programs. The County of Monterey will consider demographic data in project design and involve the public in the planning and development process to assess the environmental impacts of projects on the community. The public's input and data analysis enables The County to develop measures to mitigate potential adverse effects on people of color, minority, and low-income populations. Environmental Justice compliance complements the Community Engagement Guide under Appendix B.

At the minimum, any County decision, service, program, or benefit should be reviewed to determine whether it could result in potential disproportionate adverse human health and environmental effects, including social and economic effects, on communities of color, tribal communities and other communities underrepresented in public processes.

Training

The Civil Rights Office will provide Title VI training to County employees. This will be integrated into the County's existing required Civil Rights and Harassment and Discrimination Prevention training. Training objectives are included in Appendix E. In addition, department Title VI Coordinators will be required to complete Title VI Coordinator training periodically provided by the County's Civil Rights Office. The County Title VI Coordinator will work directly with departments to provide technical assistance related to Title VI compliance and maintain a website with Title VI compliance information for employee self-service.

Disadvantaged Business Enterprise Program

Monterey County is committed to increasing the participation of Disadvantaged Business Enterprises (DBE) in county projects and ensuring nondiscrimination in the award and administration of contracts. A DBE is a for profit small business, which is at least 51% owned and controlled by one or more socially and economically disadvantaged individuals. Qualified DBEs are minority, women-owned businesses, including firms owned by disadvantaged and disabled veterans.

The Deputy Director for Public Works, Facilities and Parks will serve as the DBE liaison for the County and will make a committed effort to provide business opportunity information and outreach per the County's Small/Local Business Outreach Program and the Local Assistance Procedures Manual. The County of Monterey Title VI Coordinator will provide technical assistance as requested.

Monitoring, Evaluation and Reporting Requirements

County departments will report on Title VI compliance through the annual departmental Equal Opportunity Plan which is presented to the Equal Opportunity Advisory Commission and the annual Title VI Accomplishment Report.

The County Title VI Coordinator will ensure that training is conducted, LEP services and community engagement is optimal, and appropriate Title VI signage is posted. This also includes updating community demographics and language statistics. The annual equal opportunity plans will guide updates to the Title VI Plan, which shall be updated every three years.

Appendices



Appendix A

Nondiscrimination Policy Statement

The County of Monterey, complies with Title VI of the Civil Rights Act of 1964, which prohibits all employees, applicants, residents, customers, and persons doing business with the County, to be excluded from participation in or be denied the benefits of, or be subjected to discrimination under any program or activity on the grounds of race, color, or national origin.

State laws and local ordinances also consider the following federal and state protected characteristics:

- Age (40 and above)
- Ancestry;
- Religious creed (including religious dress and grooming practices);
- Denial of family and medical care leave;
- Disability
- Marital status:
- Medical condition (cancer and genetic characteristics);
- Genetic information;
- Military and veteran status;
- Sex (including pregnancy, child birth, breastfeeding and medical conditions related to pregnancy, child birth or breastfeeding);
- Gender
- Gender identity and gender expression;
- Sexual orientation; and
- Any other protected status in accordance with all applicable federal, state and local laws (further referred to as "protected categories").

Any person who believes they have been discriminated against because of a protected characteristics above, with regard to County of Monterey programs and services, can file a complaint within 60 days of the alleged incident.

For information or guidance on how to file a complaint, please visit (or -contact Monterey County's Civil Rights Office or contact the Civil Rights Office.

Civil Rights Office 1441 Schilling Place, Salinas, California 93901. Ph: (831) 755-5117

Email: civilrights@co.monterey.ca.us derechoshumanos@co.monterey.ca.us

(Signature)

Juan P. RodriguezCivil Rights OfficerMonterey County Title VI Implementation Plan



You Belong Here

The County of Monterey complies with title VI of the Civil Rights Act of 1964, which prohibits any person to be excluded from participation in or be denied the benefits of, or be subjugated to discrimination under any program or activity on the grounds of race, color, age, disability, gender, or national origin.

Discrimination complaints may be filed with the Civil Rights Office. Call (831) 755-5117 or email civilrights@co.monterey.ca.us



Complaint Form



COUNTY OF MONTEREY CIVIL RIGHTS COMPLAINT PROCEDURES



Community Engagement Guide

To comply with Federal regulations set forth by Title VI of the Civil Rights Act of 1964, the County of Monterey developed this Community Engagement Guide. This Guide provides approaches to comprehensively involve the community to ensure that all groups are represented, and their needs are met.

Introduction

The County of Monterey government works best when community members and County staff work as partners. Quality community engagement results in a smoother implementation in the long run and allows for more efficient government. It is also the law. This Community Engagement Guide supports departments to:

- Ensure better County decisions that more effectively respond to the needs and priorities of the community;
- Engage community members and community resources as part of the solution;
- Engage the broader diversity of the community-especially people who have not been engaged in the past;
- Increase public understanding of and support for public policies and programs; and,
- Increase the legitimacy and accountability of government actions.

This Guide and process are especially significant in the County of Monterey because of the broad mix of cultures, disparate incomes, and immigration statuses. In Monterey County, the poverty rate is 12.1%, wealth is concentrated into a few small areas, and 20% of the population are non-U.S. citizens.

Our quality of community engagement will increase as our staff's knowledge, understanding, and humility regarding our community members (including culture, history, and current status) increases.

The Process

Community Engagement is a process, not a single event. It consists of a series of appropriate activities and actions over the full lifespan of a project to inform, obtain input from, and collaborate with the public. Not all public participation is the same because there is no single "public." Rather, the public consists of a broad range of stakeholders holding an array of viewpoints on an issue. Conducting meaningful engagement involves seeking input at specific points in the

decision process and on specific issues where such input has a real potential to help shape the decision or action. Sometimes the opportunity for influence is quite small, while the public can have a great deal of influence at other times. The amount of this potential influence is the main consideration in designing a successful community engagement program.

STAKEHOLDERS ARE INDIVIDUALS WHO ARE EITHER DIRECTLY OR INDIRECTLY IMPACTED BY THE COUNTY'S PLAN, PROJECT OR PROGRAM.

The Community Engagement Spectrum

There is no single "right" level of community engagement. For each project, the department must consider the specific circumstances, the ability to share decision authority, and the nature of the public's desire and need to participate. Community engagement can be viewed as a spectrum, ranging from low levels of engagement (e.g., informing the public) to high levels of engagement (e.g., collaborating with stakeholders on a decision).

INFORM

The Inform level of community engagement does not actually provide the opportunity for public participation at all, but rather provides the public with the information they need to understand the decision-making process. This level is on the spectrum as a reminder that sometimes there is no opportunity for the public to influence

WHAT COMMUNITY ENGAGEMENT IS NOT:

- SELLING THE PUBLIC ON ...
- CONVINCING PEOPLE TO ...
- A MEETING TO COMPLAIN/ FIND FAULT WITH...

decision-making and simply informing them is the appropriate activity. When conducting the Inform level of public participation, it is important to not persuade or influence the public in any way. As such, the Inform level is not the same as a public relations campaign. Rather, the Inform level of public participation requires the performing individual to serve as an honest broker of information, giving the public what they need to fully understand the project or decision, allowing them to reach their own conclusions as to the appropriateness and adequacy of the decision.

CONSULT

The Consult level of community engagement is the basic minimum opportunity for public input. Consult simply means to ask. There is no invitation to sit down together and work on things in any cooperative way. Ask the public for their opinions and consider the input received in the decision making process . At Consult, ask for input at set points in the process, but do not provide an ongoing opportunity for input.

INVOLVE

The Involve level of community engagement is more than a consultation. To involve means to include. At the Involve level, the public is invited into the process, usually from the beginning, and is provided multiple if not ongoing opportunities for input as decision-making progresses. However, the county representative remains the decision-maker and there is no expectation of building consensus or providing the public with any sort of high-level influence over the decision.

COLLABORATE

At the Collaborate level, the public is directly engaged in decision-making. The Collaborate level of community engagement includes all the elements of Involve but takes it a step further. Collaborate often includes the explicit attempt to find consensus solutions. However, like the Involve level of participation, the county representative remains the decision-maker. The degree to which consensus will be sought and how much decision authority available must be made explicit. In the end, all the input received will be taken into account and used to make the decision.

Equitable Engagement

The Community Engagement Spectrum can effectively help reach out to many people in our community, yet sometimes additional efforts are needed to reach traditionally underrepresented groups. Some strategies to better engage and reach underrepresented populations include:

- Understand who lives here. Study the demographics for the affected area and cross reference that with the people who generally participate in your outreach process. Ask yourself: "Am I reaching a representative sample of people?".
- Involve people in the issue. Provide specific roles for underrepresented community stakeholders.
- Listen well! Ask: "How will this policy, program, initiative, new building, new road, or budget issue burden or benefit your community?"
- Overcome language barriers. Utilize the County's Language Access Plan and provide appropriate language translation and interpretation services at meetings and in your outreach.
- Bring your outreach to the community. Host public meetings, focus groups and events where people tend to
 gather like libraries and youth centers or better yet, ask to be included on the agenda of an already-existing
 meeting.
- Consider the space. Use round tables, never a head table to promote dialogue and to reduce artificial barriers. Staff and elected officials should sit WITH the community, not apart.
- Minimize opportunity costs by serving food and providing childcare at outreach events.
- Follow up by sending a thank you letter, phone call, or email with a brief meeting summary. Let people know how their input shaped the result.
- Speak about issues in terms the general public can understand. Do your best to avoid acronyms and terms generally only familiar to governmental agencies. Provide materials with an awareness of the literacy and education levels of the community being reached out too.
- Understand that people come to your process with history and perhaps past frustration with the County and the services provided in the past. Do not take things personally.
- Foster inclusivity and demonstrate your commitment to working together. Take time to develop relationships. Listen. Be sincere. Be authentic.
- Provide system navigation when possible. People may have questions or need support to navigate a County process that is not specific to what is being worked on at present. Help them connect with the appropriate help and learn how to navigate that process or system.
- Utilize "cultural brokers" and community leaders to make connections and build bridges between your office and the community being reached out to.

Monterey County Community Engagement Spectrum			
Engagement Level	When to Use	Goal	Tools/ Opportunities
Ignore	Never	To deny access to the decision- making process	Closed door meetingsIntentionally technical language
Inform	When the community needs to be informed about what the County of Monterey is doing	To provide the public with balanced and objective information to understand the problem, opportunities and/or solutions	 Notifications Billboards, brochures Events or Meetings Websites, social media, Videos Community Education
Consult	To retrieve When feedback and input from the public on a County of Monterey decisions and/or solutions needs to be collected.	To obtain and consider public input at set points in the process	 Events or Meetings Committees Surveys Focus Groups Dialogue—not just tellir Govt. 2.0 web platforms
Involve	When the public can contribute to County of Monterey decision making, solution design, and events.	To work directly with the public and consider their input throughout the process	 Committees Surveys Community-driven Design Charrettes Study Circles Participatory Research
Collaborate	When direct partnership with the public from the onset of a County of Monterey project, decision, or solution is needed or beneficial.	To partner with the public in key activities and decisions during the process	 Study Circles Advisory Boards Task Forces Consensus Workshops Scenario Planning

Adapted from Nexus Community Partners Governing for Racial Equity Training September 13, 2017, The Davenport Institute Training to Monterey County October 30, 2013, City of Seattle Racial Equity Toolkit,
Tompkins County Public Participation Plan, City of Portland 2013 Title VI Plan.

Appendix C

Language Access Plan

The County is a recipient of federal financial assistance and acknowledges that as a condition of receiving these funds, it is required to comply with Title VI of the Civil Rights Act of 1964, which includes provisions that require The County of Monterey to provide meaningful access to services for Limited English Proficiency (LEP) persons. In addition, the County complies with California's Dymally-Alatorre Bilingual Services Act, which has requirements like Title VI.

Monterey County policy states that:

- The County of Monterey will ensure that LEP Persons have meaningful access to its programs, services, and activities. The County recognizes that language can be a barrier to accessing important benefits or services, understanding and exercising important rights, complying with regulations, or understanding key information.
- The County recognizes that languages other than English are both necessary and welcoming and seeks to provide efficient and accessible public services to its non-English speaking communities.
- All employees of the County may use a language other than English without threat of discrimination of reprisal. Departments may require, after consultation with the Civil Rights Office, that specific employees speak only English at certain times when it is justified by business necessity or emergency.
- In addition, the County of Monterey will strive to employ enough qualified bilingual persons in public contact positions to ensure the provision of information and services to the public in the language of the non-English-speaking person.

Simply put, all people, regardless of their proficiency in English, will have meaningful access to the benefits of County services and programs.

This Plan includes the following elements:

- 1. **Assessment:** identification of volume and location of LEP persons and LEP communities.
- 2. **Language Assistance measures**: types of language services available; how to respond to LEPs in person; types of documents and information to translate.
- 3. Outreach Measures: notification methods on special language assistance.

Based on recent American Community Survey data and U.S. Census data, 55% of Monterey County's population speaks a language other than English at home and 25% of those reported speaking English "less than very well." The majority of our Limited English Proficient (LEP) population speaks Spanish at over 100,000 individuals. Data also shows that there is a significant population, less than 3% per language group, that speaks Tagalog, Korean and Mexican indigenous languages, including Mixteco, Triqui, and Chatino, among others.

To determine what types of interpretation and translation is needed, departments shall conduct a fourfactor assessment based on Federal guidance.

1. How many LEP individuals live in the service area?

Departments should use the U.S. Census Bureau's American Community Survey (ACS) data for Limited English-Speaking Households by county and cities to identify the number and proportion of LEP persons within the affected service area. Broadly speaking, in the County of Monterey, more than 25% of our population does not speak English well. Most of our LEP population speaks Spanish.

2. How often do LEP individuals come in contact with or try to access the program, service, or activity?

If the department does not have this data available at the time of implementation, they should begin to collect the data. A proxy for the data is current County demographics using the latest U.S. Census Bureau statistics.

- 3. How important is the program, service, or activity? This includes assessing which written documents should be translated.
- 4. What resources are available to for translation and interpretation and what are the

In the County of Monterey, most of our non-English speakers speak Spanish. In addition, the county has a large population that speaks Mexican indigenous languages including Mixteco, Triqui, Chatino, Tarasco (Purépecha), and Zapoteco, with estimates of up to 30,000 individuals. The Monterey County hospital interprets for approximately 200 Mexican indigenous speaking persons a month. It is important to note that the two most common indigenous languages—Mixteco and Triqui do not have a written form.

Speaks English	Approximate	Percentage
less than very	number of	of total adult
well well	<mark>persons</mark>	population
Spanish	109,331,	<mark>25.%</mark>

Age by Language Spoken at Home for the Population 5 Years and Over

Table universe: Population 5 Years and Over

Column →	Monterey Co	unty, CA
5 to 17 years:	20.7%	±0.1%
Speak only English	7.9%	±0.7%
Speak Spanish	12.2%	±0.7%
Speak other Indo-European languages	0.2%	±0.1%
Speak Asian and Pacific Island languages	0.2%	±0.1%
Speak other languages	0.1%	±0.1%
18 to 64 years:	63.8%	±0.1%
Speak only English	26.8%	±1%
Speak Spanish	32.7%	±1%
Speak other Indo-European languages	1.5%	±0.4%
Speak Asian and Pacific Island languages	2.2%	±0.3%
Speak other languages	0.6%	±0.3%
65 years and over:	15.5%	±0.1%
Speak only English	10%	±0.4%
Speak Spanish	4%	±0.2%
Speak other Indo-European languages	0.7%	±0.2%
Speak Asian and Pacific Island languages	0.8%	±0.2%
Speak other languages	0%	±0%

Source: Statistical Atlas

Language Assistance Measures

Interpretation and Translation Services: Monterey County's workforce includes many bilingual employees. When possible, bilingual staff persons should deliver services directly to LEP individuals. The County shall employ enough bilingual persons in public contact positions to ensure the provision of information and services to the public in the language of the non-English-speaking person.

The County currently has a bilingual staff program that includes assessment and subsequent pay differentials for qualified bilingual employees.

When a bilingual staff member is unavailable to provide services to LEP persons, the staff member should utilize an interpretation service for one-on-one help.

For significant public meetings, departments will establish a system for providing translation services, including sign language, using one of the County's contracted interpretation and translation services. The public will be notified about the availability of translation and interpretation.

Board of Supervisors meetings should always have an interpreter present. At the request of the public or at staff discretion, interpretation will also be provided at other public meetings.

The County currently maintains master agreements with language translation/interpretation service providers. All departments who iinteract with the public shall include a line item in their annual budget for interpretation and translation services. This may include

Vital Documents: Each department shall develop a list of vital documents that require translation as well as a set of criteria to determine which future documents require translation. Official document translation should be completed by a certified translator. Vital documents generally include all documents that describe services, benefits, fees or penalties. Web pages that are considered vital should also be professionally translated. Vital documents include, but are not limited to, applications, consent forms, complaint forms, intake forms, any document that is routinely provided to the public,

notices that require a response, and rule books.

INTERPRETATION: SPOKEN COMMUNICATION

TRANSLATION: WRITTEN COMMUNICATION

Contact Procedures: For in-person contact with LEP persons, use a language chart to help identify what language an LEP person speaks, then utilize a bilingual staff person or a contracted interpretation service.

For telephone calls, provide interpretation services using staff as available, or a contracted interpretation service. All voicemail greetings intended for the public should be in English and Spanish.

Outreach Measures

When staff prepares materials or schedules a meeting for which the target audience is expected to include LEP individuals, the documents, meeting notices, flyers, and agendas shall be printed in an additional language based on the known LEP population. Interpreters will also be available as needed.

All public counters shall include basic signage in both English and Spanish. Signage, when possible, shall be in the same size font for both languages.

All public counters in the County shall include language access cards to assist staff in identifying the language spoken of LEP individuals.

Title VI Training Requirements

All County of Monterey employees, temporary employees, interns, and volunteers must complete Harassment and Discrimination Prevention training and Civil Rights training every two years. In addition, Department Title VI Coordinators are required to complete Title VI Coordinator training periodically.

The learning outcomes for all three training requirements are as followed:

Harassment and Discrimination Prevention

This training complies with Federal and State laws mandating workplace harassment legislation and training requirements for the state of California. In this training, participants learn about protected characteristics, how to spot discrimination and how to report a problem i n the workplace.

• Civil Rights Training

This training covers topics around types of bias, strategies for addressing bias at the individual and institutional levels, developing a shared framework around cultural awareness, and building equity efforts in our community and workplace. This training also covers County's obligation to abide by Title VI of the Civil Rights Act of 1964.

Title VI Coordinator Training In this training, participants will learn about the County's obligation to abide by Title VI, the role of the Department Title VI Coordinator, and understand the basic tenants of the County's Title VI Plan. Participants will also learn how to identify LEP individuals and how to provide meaningful access to services, including the need for document translation and access to a quality interpreter. The training will highlight the importance of quality and equitably accessible community engagement.

MONTEREY COUNTY

COMMISSION ON DISABILITIES

1441 SCHILLING PLACE, SALINAS, CA 93901 (831) 755-5117 ~ Fax (831) 796-8521



AGENDA ITEM NO. VII
ATTACHMENT: Updated COD Marketing Materials

COMMISSION ON DISABILITIES PROMOTIONAL MATERIALS

September 25, 2023

STRATEGIC PLANNING OBJECTIVE 1.1:

LAUNCH SOCIAL MEDIA PLATFORMS

UPDATES

- Meeting with Communication Department
 - County Promotional Materials Guidelines
 - Sizing Update
 - Translation
- All templates presented today will be updated for 2024

West End Arts Event

08/26 - 08/27

- Distribution of promotional materials
- Representation on both days
- Demonstrated community interest
- Thank you Commissioner Sofer Location
- Thank you Juan Rodriguez Refreshments
- Thank you to all Commissioners who attended



COD Promotional Posts – 09/07

facebook





County of Monterey, California

The Commission on Disabilities (COD) advocates public policy that supports the rights of people with disabilities in Monterey County to live their lives to the fullest extent possible. Come to our next session to learn more about COD and how you can get involved!





facebook





County of Monterey, California

3d · 🔇

El condado de Monterey tiene una comisión dedicada a aumentar la atención médica, la seguridad y el acceso a la vida cotidiana para las comunidades locales con discapacidades.





Lilia Chagolla and 2 others











COD Promotional Posts - Date of Post

Screenshot of Miller post

Schedule Template

COMMISSION ON DISABILITIES 2023 Meeting Schedule



- JULY 31
- SEPTEMBER 25
- NOVEMBER 27

2:00 PM - 4:00 PM
Cayenne Conference Room
1441 Schilling Place-South Bldg,
1st Floor Salinas, CA 93901

Meetings take place on the last Monday of every other month

For more information, contact the Civil Rights Office at (831)755-5117 or email the Commission at

CoD@co.monterey.ca.us

Civil
ts Office 1441 schilling place, north building, salinas, ca 93901

Featured Commissioner



Short Commissioner biography

Commissioner name

COME TO OUR NEXT MEETING

September 25, 2023 2:00 PM - 4:00 PM

Cayenne Conference Room

1441 Schilling Place-South Bldg, 1st Floor Salinas, CA 93901

For more information, contact the Civil Rights Office at (831)755-5117 or email the Commission at

CoD@co.monterey.ca.us

Featured Speaker

MEET THE SPEAKER

Roger Miller is a member of the Commission on Disabilities. For over 49 years, Mr. Miller has managed a variety of construction projects, 22 in California. Mr. Miller has been a Certified Access Specialist (CASp) for over eleven years and provides accessibility consulting and inspection services for private (Title III) entities and public (Title II) entities.

Commissioner Miller will be presenting on Business Compliance with ADA - The Role of CASp



Commissioner Miller

COME SEE THE PRESENTATION

September 25, 2023 2:00 PM - 4:00 PM

Cayenne Conference Room

1441 Schilling Place-South Bldg, 1st Floor Salinas, CA 93901

For more information, contact the Civil Rights Office at
(831)755-5117 or email the Commission at
CoD@co.monterey.ca.us

New Member Flyer

THE COMMISSION ON DISABILITIES

JOIN THE COMMISSION TODAY!





APPLY TODAY

If interested, please reach out to your district representative or contact the Commission at

CoD@co.monterey.ca.us

- The Commission consists of community leaders and representatives from each district.
- The commission advises and makes recommendations to the Board of Supervisors on equal access and resources employment, public to services, communications, and public accommodations for people with disabilities

The next COD meeting will be held on September 25, 2023. for Information on location, call 755-5117 or email CoD@co.monterey.ca.us



COUNTY OF MONTEREY

COMMISSION ON DISABILITIES

WHO WE ARE

We are representatives appointed by members of the Board of Supervisors, cities within Monterey County, and from various community based organizations located in Monterey County.

WHAT WE DO

The Commission on Disabilities (COD) advises the Monterey County Board of Supervisors in matters regarding to people with disabilities including relating to equal access to employment, public services, communications, and accommodations

HOW WE DO IT

The COD inquires, listens, and engages in discussion with any persons or entities for the purpose of gathering information to the potential interest to the Board of Supervisors. The COD advocates public policy that supports the rights of people with disabilities in Monterey County to live their lives to the fullest extent possible.

COME TO OUR NEXT

-September 25th, 2023 -November 27, 2023 at 2:00 PM - 4:00 PM

Cayenne Conference Room 1441 Schilling Place-South Bldg 1st Floor Salinas, CA 93901 or via Zoom

Meetings occur on the last Monday of every other month at the same time and location. Translation and interpretation services are available upon request!

For more information call (831)755-5117 or email <u>CoD@co.monterey.ca.us</u>









COUNDADO DE MONTEREY

COMISIÓN SOBRE DISCAPACIDADES

QUIÉNES SOMOS

Somos representantes nombrados por miembros del Consejo de Supervisores, ciudades dentro de los límites del Condado de Monterey, y varias organizaciones comunitarias ubicadas en el Condado de Monterey.

QUÉ HACEMOS

La Comisión Sobre Discapacidades del Condado de Monterey (COD, por sus siglas en inglés) asesora al Consejo de Supervisores del Condado de Monterey acerca de asuntos relacionados con personas con discapacidades, que incluye acceso equitativo a oportunidades de trabajo, servicios públicos, comunicaciones, y adaptaciones públicas.

CÓMO LO HACEMOS

La Comisión pregunta, escucha, y se involucra en discusiones con cualquier persona u organismo para recabar información que sea de interés para el Consejo de Supervisores. La COD avoca por políticas públicas que apoyan los derechos de las personas con discapacidades en el Condado de Monterey para que vivan su vida al máximo posible.

Para más información , llama al (831) 755-5117 o por correo electrónica a CoD@co.monterey.ca.us.

¡VEN A NUESTRA PRÓXIMA JUNTA!

25 de septiembre de 2023 27 de noviembre de 2023 a las 2:00 PM – 4:00 PM

Cayenne Sala de Conferencias 1441 Schilling Place-South Bldg Primer Piso, Salinas, CA 93901

Puedes participar por Zoom o en persona.

Las juntas se llevan a cabo el último lunes cada dos meses. ¡Servicios de interpretación y traducción están disponible a pedido!

Civ





Fact Sheet

Promotional Flyer

COMMISSION ON DISABILITIES DID YOU KNOW?

The County of Monterey has a commission dedicated to increasing healthcare, safety, and everyday life access for local communities with disabilities.

COME TO OUR NEXT MEETING

September 25, 2023 2:00 PM - 4:00 PM

Cayenne Conference Room

1441 Schilling Place-South Bldg, 1st Floor Salinas, CA 93901

For more information, contact our office (831)755-5117 or email CoD@co.monterey.ca.us



Instagram



DID YOU KNOW?

The County of Monterey has a commission dedicated to increasing healthcare, safety, and everyday life access for local communities with disabilities.

JOIN TODAY!

Call the Civil Rights Office at (831)755-5117 or contact your local representative today.





COMMISSION ON DISABILITIES COME TO OUR NEXT MEETING

*Interpretation and translation services available upon request

September 25, 2023 2:00 PM - 4:00 PM Cayenne Conference Room

1441 Schilling Place-South Bldg, 1st Floor Salinas, CA 93901

For more information, contact the Civil Rights Office at (831)755-5117 or email the Commission

at CoD@co.monterey.ca.us





Facebook

COUNTY OF MONTEREY COMMISSION ON DISABILITIES

DID YOU KNOW?

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COMMISSION ON DISABILITIES COME TO OUR NEXT MEETING

September 25, 2023 2:00 PM - 4:00 PM Cayenne Conference Room

1441 Schilling Place-South Bldg, 1st Floor Salinas, CA 93901

For more information, contact the Civil Rights Office at (831)755-5117 or email the Commission at CoD@co.monterey.ca.us



MONTEREY COUNTY

COMMISSION ON DISABILITIES

1441 SCHILLING PLACE, SALINAS, CA 93901 (831) 755-5117 ~ Fax (831) 796-8521



AGENDA ITEM NO. X
ATTACHMENT: COD Meeting Schedule for 2024



MONTEREY COUNTY BOARD OF SUPERVISORS COMMISSION ON DISABILITIES

2024 MEETING SCHEDULE

COMMISSION RESPONSIBILITIES	THE COMMISSION SHALL ADVISE THE BOARD OF SUPERVISORS REGARDING MATTERS RELATING TO EQUAL ACCESS TO EMPLOYMENT, PUBLIC SERVICES, COMMUNICATIONS AND PUBLIC ACCOMMODATIONS FOR PERSONS WITH DISABILITIES.	
MEETING LOCATION (UNLESS OTHERWISE POSTED)	CAYENNE CONFERENCE ROOM 1441 SCHILLING PLACE-SOUTH BLDG, 1 ST FLOOR SALINAS, CA 93901	
MEETING DATES (UNLESS OTHERWISE POSTED)	LAST MONDAY OF EVERY OTHER MONTH	
STAFF CONTACT	ADMINISTRATIVE SECRETARY-CONFIDENTIAL RUBY JACINTO ~ (831) 755-5117 JACINTOR@CO.MONTEREY.CA.US	
Monday, January 29, 2024		2:00 P.M. – 4:00 P.M. CAYENNE ROOM
Monday, March 25, 2024		2:00 P.M. – 4:00 P.M. CAYENNE ROOM
MONDAY, MAY 20, 2024 *		2:00 P.M. – 4:00 P.M. CAYENNE ROOM
MONDAY, JULY 29, 2024		2:00 P.M. – 4:00 P.M. CAYENNE ROOM
Monday, September 30, 2024		2:00 P.M. – 4:00 P.M. CAYENNE ROOM
MONDAY, NOVEMBER 25, 2024		2:00 P.M. – 4:00 P.M. CAYENNE ROOM

^{*}Last Monday is a County Holiday