



# Monterey County

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## Board Report

Legistar File Number: 17-1219

December 05, 2017

**Introduced:** 11/29/2017

**Current Status:** Scheduled AM

**Version:** 1

**Matter Type:** General Agenda Item

- a. Approve the County of Monterey's Title VI Implementation Plan;
- b. Adopt a resolution authorizing the Auditor-Controller to amend the FY 2017-18 Equal Opportunity Office Budget (001-1080-EQU001-8066) to add one Associate Equal Opportunity Analyst position, increasing appropriations by \$68,877 financed by a reduction in appropriations in the County Administrative Office's IGLA Division (001-1050-CA0004-8054) (4/5ths vote required);
- c. Direct the Human Resources Department to implement the changes in the HRM system; and
- d. Adopt a Resolution to re-name the Equal Opportunity Office to the Civil Rights Office and change the Titles of the Equal Opportunity Job Classification Series to reflect the name change.

### RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve the County of Monterey's Title VI Implementation Plan;
- b. Adopt a resolution authorizing the Auditor-Controller to amend the FY 2017-18 Equal Opportunity Office Budget (001-1080-EQU001-8066) to add one Associate Equal Opportunity Analyst position, increasing appropriations by \$68,877 financed by a reduction in appropriations in the County Administrative Office's IGLA Division (001-1050-CA0004-8054) (4/5ths vote required);
- c. Direct the Human Resources Department to implement the changes in the HRM system; and
- d. Adopt a Resolution to re-name the Equal Opportunity Office to the Civil Rights Office and change the Titles of the Equal Opportunity Job Classification Series to reflect the name change.

### SUMMARY/DISCUSSION:

In July, the County went through a compliance review process regarding Title VI of the Civil Rights Act of 1964 (Title VI). Title VI prohibits discrimination on the basis of race, color, or national origin in any program or activity that receives federal funds or other federal financial assistance.

The Title VI review found areas of improvement for the County. In response to the review, the Equal Opportunity Office was asked to develop a countywide implementation plan. The plan includes a comprehensive countywide program to ensure the County does not discriminate based on race, color, or national origin in our service delivery. Compliance requires that we designate a Title VI Coordinator, provide meaningful access to all services for the more than 25% of our population that does not speak English, have an outward-facing discrimination complaint process, provide Title VI training to employees that interact with the public, and ensure quality community engagement across the County. This plan was developed with input from County departments and from a wide range of community stakeholders.

To adequately provide quality service to all County departments, the Equal Opportunity Office recommends that the Board of Supervisors consider allocating a staff member to support Title VI compliance and the functions listed above. The Human Resources Department reviewed and had approved the Requests to Classify. As we currently understand the need, the Title VI program requires the addition of an Associate Equal Opportunity Analyst. The expected duties for the Associate Analyst would include aiding the Equal Opportunity Officer with Title VI program management including the effectuation and reporting on the Title VI Plan, administration of the Language Access Plan, aid the Equal Opportunity Officer with oversight of the external complaint process, aid in the development and management of community relationships, departmental technical assistance and internal audits, support external Title VI audits, and aid in the oversight of countywide staff training on Title VI. In addition, the Associate would support the Equal Opportunity Officer with analytics, strategic planning, and reporting.

Further, the EOO identified savings within its budget to cover a \$25,000 expenditure for technical assistance as it relates to language access and publication costs.

Through best practice review and our listening process in the community and within the County agency, it was recommended that if the Equal Opportunity Office is to take on Title VI of the Civil Rights Act duties, then the County should consider a name change to the Civil Rights Office. The reason for this recommendation is that “equal opportunity” is not understood by most community stakeholders. The County’s office that handles discrimination complaints should be named in a way that members of the public can understand and feel comfortable accessing. Additionally, to account for clear Spanish interpretation of the name change and the cultural understanding around Civil Rights, it is recommended that the Spanish language version of the name be “Oficina de Derechos Humanos.”

OTHER AGENCY INVOLVEMENT:

The County Administrative Office reviewed the Budget Change Proposals. The County Administrative Office has reviewed this report and understands there is a one-time and ongoing workload associated with ensuring Title VI compliance. If so directed, considering the County’s current fiscal constraints, the Board could direct the County Administrative Office and Human Resources Department to assess the extent to which existing EOO staff are being fully utilized and what capacity, if any, exists for existing staff to perform this workload. The Board could then make a final determination on the requested position as soon as that analysis is complete. The Office of County Counsel reviewed and approved as to form. The Equal Opportunity Advisory Committee received an update and provided general direction on Title VI Implementation. The Equal Opportunity Committee and the Budget Committee provided general direction on Title VI Implementation.

FINANCING:

The addition of a new Associate Equal Opportunity Analyst in the current year is estimated to add \$68,877 in salary and benefit costs. The Intergovernmental and Legislative Affairs (IGLA) Office renegotiated agreements this year, which generated significant budgetary savings. The County Administrative Office recommends that these savings are used to cover the cost of the new position this fiscal year. As the needs of the program expand, the EOO could bring a request for an additional Equal Opportunity Analyst position during the annual budget process.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Title VI compliance advances our basic need for efficient and effective government operations. When done well, a robust Title VI program will enhance the well-being of all Monterey County residents, thus touching on both public safety and health and human services. Additionally, robust compliance with Title VI will be offset by securing federal funds and avoiding costly lawsuits and settlements in the future.

Mark a check to the related Board of Supervisors Strategic Initiatives

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

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Approved by: Juan P. Rodriguez, Equal Opportunity Officer, x6614

Attachments:

- Title VI Implementation Plan Draft
- Themes from Engagement Work
- Resolution for Associate Analyst
- Resolution for Name Change
- (Attachments on file with the Clerk of the Board)