

# NONDISCRIMINATION PROGRAM PLAN

March 15, 2019



2801 West Durango Street,  
Phoenix, AZ 85009  
(602) 506-1501

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**Flood Control District of Maricopa County**  
**Nondiscrimination Program Plan**

**April 26, 2019**

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## **Nondiscrimination Policy Statement**

The following policy statement supports the implementation of the Title VI Program for the Flood Control District of Maricopa County:

The Flood Control District of Maricopa County is committed to ensuring that no person is discriminated against on the grounds of color, race, or national origin as provided by Title VI of the Civil Rights Act of 1964 and related legislation. Specifically, Title VI asserts that “No person in the United States shall, on the grounds 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.” Additional protections are provided in other federal and state statutes for religion, sex, disability, and age.

The Flood Control District of Maricopa County strives to ensure nondiscrimination in all of its programs and activities, whether those programs or activities are federally funded or not. As a sub-recipient of federal funding, the Flood Control District of Maricopa County is responsible for initiating and monitoring Title VI activities, preparing required reports, and other responsibilities as required by the U.S. Department of Justice under 28 Code of Federal Regulations (CFR) §42.401 et seq. and 28 CFR §50.3.

\_\_\_\_\_  
Michael Fulton, Director

\_\_\_\_\_  
Date

## **Section One: Introduction**

### **A. Title VI**

Title VI of the Civil Rights Act of 1964 (Title VI), is the overarching civil rights law that prohibits discrimination based on race, color, or national origin, in any program, service or activity that receives federal assistance. Specifically, Title VI assures that, “No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefit of, or be otherwise subjected to discrimination under any program or activity receiving federal assistance.”

Also, Executive Order 13166, “Improving Access to Services for Persons with Limited English Proficiency (LEP),” requires the Flood Control District of Maricopa County to provide access to individuals with limited ability to speak, write, or understand the English language.

As a recipient of federal financial assistance, The Flood Control District of Maricopa County will not restrict an individual in any way from the enjoyment of any advantage or privilege enjoyed by others receiving any service, financial aid, or other benefit under its programs or projects. Individuals may not be subjected to criteria or methods of administration which cause adverse impact because of their race, color, or national origin, or have the effect of defeating or substantially impairing accomplishment of the objectives of the program because of race, color, or national origin.

### **B. Maricopa County**

Maricopa County was established as a county on February 14, 1871, by the Legislative Assembly of the Territory of Arizona from parts of Yavapai and Pima Counties. The County’s current geographical boundaries were set in 1881 and have not changed since.

The history of the county was mostly marked by rapid population increase, driven initially by the mining, agriculture, and livestock industries. Arizona achieved Statehood February 14, 1912, providing greater integration of Arizona into the national infrastructure and further incentives to settle in Maricopa County. Then, as now, Maricopa County was the most populated area within Arizona. Many of the significant population in-migrations in recent times have been spurred on by the low cost of living, economic growth, climate, and easy access to other major metropolitan areas. As the population grew, so did the diversity of the economy and the population, as well as the reasons for further migration to the area. The climate, strong economy, educational opportunities, and beautiful desert environment are just a few of the reasons why Maricopa County continues to have one of the fastest growing populations in the United States.

Maricopa County is the nation’s fourth largest county in terms of population and has a population greater than 21 states. Twenty-five cities and towns are located in Maricopa County. Its largest city, Phoenix, is the County seat and State Capital. Measuring 132 miles east to west and 102 miles north to south, Maricopa County covers 9,224 square miles, making it the 14<sup>th</sup> largest county in land area in the continental United States, and larger than four states. With more than nine-thousand square miles it is larger than Connecticut, Delaware and Rhode Island combined. Individuals and corporations make up 30% of total land ownership, with the remainder publicly owned. The County is administered by a County Manager who reports to the five member Board of Supervisors elected by the public.

### **C. Flood Control District of Maricopa County**

The Flood Control District of Maricopa County (FCD) was created August 3, 1959, to reduce the risk of flooding to people and their property. FCD is a political subdivision of the State of Arizona and is governed by a Board of Directors, which doubles as the County Board of Supervisors, with the advice of a citizens' Flood Control Advisory Board. FCD performs the following functions for incorporated and unincorporated Maricopa County:

- Build and maintain flood control structures
- Identify and delineate floodplains
- Educate the public on flood risks
- Issue permits for development in floodplains
- Operate a flood warning system in coordination with local emergency responders
- Conduct flood hazard studies to identify risks of flooding and potential solutions, both structural and non-structural

In performing the above functions, the FCD has a continuous interaction with the property owners and residents of Maricopa County. Communication ranges from the individual calls to public meeting events. Therefore, based on federal guidance, the main components of the FCD Title VI Program include:

1. Assignment of roles, responsibilities, and procedures for ensuring compliance with Title VI of the Civil Rights Act of 1964, and related regulations and directives;
2. Assurance that people affected by FCD's programs and projects receive the services, benefits, and opportunities to which they are entitled without regard to race, color, national origin, age, sex, or disability; or on minority populations, low-income populations and all interested persons and affected Title VI populations;
3. Prevent discrimination in FCD's programs and activities, whether those programs or activities are federally funded or not;
4. Establishment of procedures for identifying impacts in any program, service, or activity that may create illegal, adverse discrimination on any person because of race, color, national origin, age, sex, or disability; or on minority populations, low-income populations and all interested persons and affected Title VI populations;
5. Establishment of procedures to annually review Title VI compliance within specific program areas within FCD;
6. Setting forth procedures for filing and processing complaints by persons who believe they have been subjected to illegal discrimination under Title VI in FCD's services, programs, or activities.

## **Section Two: Nondiscrimination Program Policy; Grievance Procedures**

FCD is committed to ensuring that no person is excluded from participation in, denied the benefits of, or subjected to discrimination under any program, activity, or service that it provides. FCD will not tolerate intimidation, threats, coercion, or discrimination against any individual or group. This policy establishes a framework for taking reasonable measures to ensure access to all services provided by the department for all Maricopa County citizens and establishes procedures whereby the department will receive and investigate allegations of discrimination.

FCD's Nondiscrimination Program Policy and Grievance Procedures can be downloaded from <http://www.fcd.maricopa.gov> under the 'Nondiscrimination Program' link.

## **Section Three: Recipients of Federal Assistance – Title VI Requirements; FCD Obligation to Provide Access**

Nondiscrimination prohibitions have been further broadened and supplemented by related statutes, regulations, and executive orders:

- Title IX of the Education Amendments of 1972 (Title IX), which prohibits discrimination on the basis of sex in any education or training program receiving federal financial assistance, with a limited number of defined exceptions;
- Section 504 of the Rehabilitation Act of 1973 (Section 504), which forbids discrimination on the basis of an individual's disability by all federal agencies and in all federally funded activities;
- The Age Discrimination Act of 1975, as amended, which prohibits discrimination in federally supported activities on the basis of age.

## **Section Four: FCD Nondiscrimination Program**

### **A. Overview, Goals, and Principles**

FCD is actively engaged in Title VI activities as a recipient of federal assistance from the Federal Emergency Management Agency (FEMA), U.S. Army Corps of Engineers (USACE), Natural Resources Conservation Service (NRCS), Department of Defense (DOD), and other federal agencies. FCD will not restrict an individual in any way from the enjoyment of any advantage or privilege enjoyed by others receiving any service, financial aid, or other benefit under its programs. Individuals may not be subjected to criteria or methods of administration which cause adverse impact because of their race, color, or national origin, or have the effect of defeating or substantially impairing accomplishment of the objectives of the program because of race, color, or national origin. FCD will not tolerate intimidation, threats, coercion, or discrimination against any individual or group. Further, FCD must provide access to individuals with limited ability to speak, write, or understand the English language and to those with disabilities.

In order to provide services that are responsive to the needs and priorities of Maricopa County's diverse population, it is essential to have a process in place that effectively engages

the public, fully integrates their feedback, and results in decisions that are protective of human health and the environment. The goal of the FCD Nondiscrimination Program is to ensure all people have a meaningful role in processes associated with the delivery of FCD services. This Nondiscrimination Program outlines the roles, method of administration, and analysis that supports equity in all flood control programs.

Based in part on federal guidance, the components of the FCD Nondiscrimination Program include:

- A notice of nondiscrimination under the federal nondiscrimination statutes;
- Grievance procedures for complaints filed under the federal nondiscrimination statutes;
- Identification of a department Nondiscrimination Program Coordinator and his/her role;
- An assessment of FCD's obligation to provide access to LEP and disabled persons;
- Public participation procedures.

## **B. FCD Nondiscrimination Program Plan**

### **1. Notice of Nondiscrimination**

FCD's Notice of Nondiscrimination (Exhibit A) is prominently and permanently posted in FCD's main office and on the FCD website. Notice is provided in both English and Spanish and describes the procedures to file a complaint and how to contact the FCD Nondiscrimination Program Coordinator for assistance.

FCD will disseminate Title VI Program information to FCD employees and to the general public. Title VI Program information will be provided to all FCD sub-recipients, contractors, and beneficiaries. Public dissemination will include the Title VI language in contracts, publishing of the Title VI Plan on the FCD website and displaying Title VI posters in public areas.

### **2. Grievance Procedures**

FCD's Grievance Procedures outlined in Section Six are posted on the FCD website and explain the process by which any person may file a complaint. Further, the process by which complaints will be investigated and how complainants will be informed (in writing) of the progress and disposition of their complaint is also described. The complaint forms can be found in Exhibit B (English) and B.1 (Spanish). Finally, FCD's Nondiscrimination Program Coordinator contact information is provided.

### **3. FCD Nondiscrimination Program Coordinator Role**

FCD's Nondiscrimination Program Coordinator ensures department compliance with federal nondiscrimination statutes and:

- Ensures information regarding FCD's Nondiscrimination Program is internally and externally available;

- Maintains public notice of, and procedures for receipt and processing of complaints;
- Tracks and reviews complaints received;
- Trains department staff on FCD's Nondiscrimination Program and procedures;
- Provides written updates to complaints on the progress of investigations;
- Periodically reviews the efficacy of FCD's Nondiscrimination Program.

4. Obligation to Provide Access: Persons with Limited English Proficiency (LEP) and Disabilities

Individuals who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English can be limited English proficient and may be entitled to language assistance with respect to services provided by recipients of federal assistance.

As directed by Executive Order 13166, each federal agency has published guidance to financial assistance recipients regarding Title VI prohibition against national origin discrimination affecting LEP persons. Recipients are required to take reasonable steps to reduce language barriers that can preclude meaningful access to department programs and activities by LEP persons.

Recipients of federal assistance will also provide for meaningful access to department programs and activities by disabled persons. Disabled persons have a physical impairment (hearing, mobility, vision) or mental impairment that substantially limits one or more major life activities including walking, talking, hearing, seeing, breathing, learning, performing manual tasks, and caring for oneself.

While it is true that determining precisely what steps are reasonable to ensure access for LEP and disabled persons is fact-dependent, development of a public participation plan begins with a clear understanding of the frequency and distribution of LEP and disabled populations throughout Maricopa County.

According to the 2013 to 2017 American Community Survey (ACS) five-year estimates, 27 percent of Maricopa County's population speaks a language other than English. ACS reports that 11 percent of persons five years old and over speak English less than "very well." The predominant language for this group is Spanish. If assessing one neighborhood, the standard is 1,000 or more within a neighborhood speak English less than "very well." According to this standard, LEP neighborhoods are present throughout Maricopa County, especially in the central areas along I-17 and I-10 corridors.

Data regarding the total Maricopa County populations and distribution of LEP and disabled persons was drawn from the 2013-2017 American Community Survey (ACS).

Maricopa County Population Demographics: Limited English Proficiency; Disability

<b>Category</b>	<b>Total</b>	<b>Percent</b>
Total Population in Maricopa County	4,155,501	
Total Maricopa County Households	1,489,533	
<b>Disabled Population</b>		
Population with a Disability <sup>1</sup>	453,320	11%
<b>Limited English Proficiency Demographics</b>		
Limited English Speaking Households <sup>2</sup>	64,013	4.3%
Languages:		
Spanish	47,262	73.8%
Other Indo-European Languages	4,501	7%
Asian and Pacific Island Languages	8,547	13.4%
Other Languages	3,703	5.8%
TOTAL	64,013	100%
Population speaking English less than “Very Well” <sup>3</sup>	355,270	8.5%

<sup>1</sup> Disability status from 2017 ACS 5-year estimate (Table S1810). Disability status is determined for the civilian noninstitutionalized population based on six types of difficulty: hearing, vision, cognitive, ambulatory, self-care, and independent living difficulty. Percentages are defined by Total civilian noninstitutionalized population of 4,125,142.

<sup>2</sup> A “Limited English speaking household” is one in which no member 14 years old and over (1) speaks only English at home or (2) speaks a language other than English at home and speaks English less than “Very well.” Data are from 2017 ACS 5-Year estimate (Table B16002).

<sup>3</sup>Total population, above 5-years in age, in the Census defined area for whom language spoken estimates were determined is 3,878,139. Data are from 2017 ACS 5-year estimates (Table B16004).

Limited English Proficiency (LEP) Persons

Federal guidance generally describes how recipients of federal assistance determine the extent of their obligation to provide LEP services. Four factors should be considered:

- 1) The number or proportion of LEP persons eligible to be served or likely to be encountered by the program; 4.3% (64,013) of Maricopa County’s households are limited English speaking and speak English less than “very well.” Of those 47,262 households, a significant majority (73.8%) speak Spanish. The geographic distribution of households with Limited English Speaking Ability is shown in Exhibit D.1.
- 2) The frequency with which LEP individuals come in contact with the program; as FCD permits facilities and administers program county-wide, LEP persons are a significant percentage of the individuals who come into contact with the program.
- 3) The nature and importance of the program, activity or service provided by the program to people’s lives.
- 4) The resources available to the recipient and costs.

FCD has the resources to provide LEP services as identified in the Public Participation Procedures.

### Disabled Persons

11% of Maricopa County's population is disabled to some degree. The geographic distribution of Civilian Non-Institutionalized Population Proportions with a Disability is shown in Exhibit D.2.

#### **5. Public Participation Procedures**

The development and distribution of public notices and planning for public meetings or hearings regarding department actions will consider the LEP and disabled population density in the area most impacted by the department action or program. Staff engaged in developing public notices and planning of public meetings will consult the following data sources regarding the geographic distribution of LEP and disabled populations within Maricopa County to inform the plan:

- Household Proportions with Limited English-Speaking Ability
- Civilian Non-institutionalized Population Proportions with a Disability

## **Section Five: Public Participation**

The FCD seeks public participation for all of its area drainage studies, floodplain delineations, and updates to regulations and long range plans. Additionally, public outreach is a significant component of planning, designing, and building flood control projects. FCD recognizes this and is committed to working with Maricopa County residents, businesses, and stakeholders to obtain their input and feedback on studies and potential projects. FCD follows the recommended federal guidelines to ensure its Title VI Public Participation Plan is compliant.

Public involvement through the execution of this Public Participation Plan ensures open communication with those affected. FCD conducts outreach to obtain public feedback for its projects. The public participation process ensures that stakeholders are well informed regarding FCD's projects.

FCD's primary Public Participation Goals are:

- Encourage active public participation in project development.
- Provide project study information, including the project purpose and goals.
- Promote opportunities for open dialogue with the public and stakeholders.
- Identify and incorporate public and stakeholder defined comments that add value.
- Identify and mitigate or avoid project features that have a negative effect on the community.
- Promote good will between the public, stakeholders, and FCD.

FCD recognizes the importance of identifying all public and stakeholders affected by proposed projects. In order to properly identify these stakeholders, FCD will implement the Public Participation Plan to incorporate ongoing outreach, coordination, and communication to the affected groups within the project or study areas. Stakeholders receive project communications,

public meeting notifications, and other appropriate information throughout the study or project process. The following is a list of possible public or stakeholders to engage:

- *General Public*: This group can include property owners, residents, and businesses throughout Maricopa County and its Title VI populations.
- *Special Interest Groups*: This group may include developers, wildlife groups, home owner associations, etc.
- *Flood Control Advisory Board (FCAB)*: Progress reports will be given to FCAB at regular meetings as needed.
- *Board of Directors (BOD)*: Presentation of project progress reports will be presented to the Board of Supervisors as needed.
- *Flood Stakeholders Group*: This group includes members from cities and various stakeholders that include, but are not limited to, those listed below.
- *Other Stakeholders*: FCD will maintain partnerships with key stakeholders to include government agencies, public interest groups, and major utilities to seek input regarding potential projects. Stakeholders may include, but are not limited to the following:
  - Maricopa County cities and towns
  - Maricopa County Parks and Recreation
  - Other Maricopa County Departments or Agencies
  - Local fire, law enforcement, and Emergency Management Agencies
  - State Land Department
  - Tribal Communities
  - Utility Companies, Irrigation Districts, Railroads

### **Title VI Public Participation Activities**

Public Participation Plan activities specific to FCD's Title VI Plan are as follows:

- Include the Title VI Notice to the Public on FCD's website.
- Advertise the availability of translation and interpreter services to the public.
- Provide translation and interpreter services in accordance with FCD's Title VI Plan.
- Connect bilingual staff with members of the public needing assistance.
- Ensure public meetings are accessible to all residents. This includes the use of interpreters when requested or when a need for their use has been identified.
- Notify affected and/or protected groups of public meetings regarding proposed project actions.
- Develop and distribute information on Title VI and other FCD programs to the general public.

- Disseminate information to stakeholders and all media outlets to help ensure all social, economic, and ethnic interest groups in the region are represented in the project development process.
- Provide communication and public outreach in compliance with Title VI.
- Encourage input from Title VI communities.
- Continually assess and improve communication strategies to assist people with Limited English Proficiency (LEP) to ensure they are able to access and understand project materials.

### **Project Public Input Meetings**

Public input meetings are held during the study or project development process. Strategies to encourage public participation are evaluated based on the type of study or project proposed and the potential project's impact. FCD may also attend stakeholder meetings to present project information and gather stakeholder input.

Accommodations will be made for individuals with disabilities and individuals with Limited English Proficiency (LEP). FCD will also provide alternative format materials, translation services in other languages, including sign language and assertive listening devices. All of these accommodations are available upon 72 hours advance notice to FDC at (602) 506-1501. To the extent possible, additional reasonable accommodations will be made available depending upon time constraints of the request.

FCD will notify all identified parties and stakeholders regarding upcoming public information meetings at least 14 days prior to the meeting. This shall be accomplished through paid advertising, e-mail notifications, news releases, direct mailings, community postings, and/or website postings, etc.

Communication is vital to the successful implementation of any public involvement effort. During the project planning process, FCD will maintain ongoing communication with the public, stakeholders, and other government agencies.

Public involvement is a dynamic process. The goal of this plan is to obtain comprehensive feedback from all affected stakeholders. Therefore, throughout the project, public involvement techniques will be assessed, evaluated, and possibly revised. As a result, this public involvement plan may also be revised to reflect changes. As a result, different communication methods may be used in an effort to maintain the intent and integrity of the plan.

## **Section Six: Grievance Procedures**

### **FCD Nondiscrimination Program**

Title VI of the Civil Rights Act of 1964 establishes the requirements for the FCD Nondiscrimination Program. Title VI prohibits discrimination on the basis of race, color, or national origin in programs or activities receiving federal financial assistance. Federal statutes and presidential executive orders under the umbrella of Title VI also address minority and low income populations and services to those individuals with limited English proficiency (LEP), women, and the disabled.

#### **What Does This Mean?**

FCD cannot, on the basis of race, color, or national origin either directly or through contractual means, take any of these actions:

- Deny program services, aids, or benefits.
- Provide a different service, aid, or benefit, or provide them in a manner different from what is provided to others.
- Segregate or separately treat individuals in any matter related to the receipt of any service, aid, or benefit.
- Deny an opportunity to participate as a member of a planning, advisory, or similar body that is an integral part of the program.

Any federal financial aid sub-recipient is required to administer its program and activities without regard to race, color, or national origin.

#### **How to File a Complaint**

Complaints (in English or Spanish) may be filed by any person who believes she or he has been excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any FCD service, program or activity, and believes the discrimination is based upon race, color, or national origin. Complaints may be filed with the FCD Nondiscrimination Program Coordinator.

A signed, written complaint must be submitted within 180 days of the alleged discriminatory act (or latest occurrence). The process is detailed below.

#### **Complaint Procedures**

These procedures apply to all complaints filed under Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 as they relate to any program or activity administered by the Flood Control District of Maricopa County, its sub-recipients, consultants, and contractors. In addition to these procedures, complainants reserve the right to file formal complaints with other state or federal agencies or take legal action for complaints alleging discrimination.

FCD does not promote or tolerate discrimination. The FCD Title VI Nondiscrimination Program has been established to ensure all people have a voice in Flood Control mitigation projects and to provide a process through which allegations of discrimination are investigated and resolved.

### Filing a Complaint/Complaint Review

If someone believes they have suffered from discrimination under an FCD program, they may contact the FCD Nondiscrimination Program Coordinator. If the matter cannot be resolved informally, the following steps will be followed:

1. Any person, specific class of persons, or entity that believes they have been subjected to discrimination as prohibited by the legal provisions of Title VI on the basis of race, color, national origin, can file a formal complaint with the Flood Control District of Maricopa County. A copy of the Complaint Form may be accessed electronically at: <https://www.fcd.maricopa.gov> under the 'Nondiscrimination Program' link.
2. The complaint must be filed within 180 days of the alleged discrimination, and include the date the alleged discrimination became known to the complainant or the last date of the incident.
3. Complaints should be in writing and signed and may be filed by mail, fax, in person, or e-mail. However, the complainant may call the agency and provide the allegations by telephone, and the agency will transcribe the allegations of the complaint as provided over the telephone and send a written complaint to the complainant for review and signature.
4. A complaint should contain at least the following information:
  - a. A written explanation of what has happened;
  - b. A way to contact the complainant;
  - c. The basis of the complaint (e.g., race, color, national origin);
  - d. The identification of a specific person/people and the respondent (e.g., agency/organization) alleged to have discriminated;
  - e. Sufficient information to understand the facts that led the complainant to believe that discrimination occurred in a program or activity that receives Federal financial assistance; and is an consultant, contractor, or sub-recipient of the Flood Control District of Maricopa County; and
  - f. The date(s) of the alleged discriminatory act(s).
5. The Nondiscrimination Program Coordinator will review the complaint and may solicit additional information from the complainant as needed. If additional information is requested and not received, the case may be closed. The case may also be closed if the complainant no longer wishes to pursue their case.
6. A complaint log will be kept by FCD containing the name and address of the complainant, nature of the complaint, date of submission and results of the investigation.
7. If the complaint is outside the jurisdiction of FCD, the complainant will be notified of the name and contact information for the appropriate agency with jurisdiction, if known.

8. Timeframes for Investigations: If the complaint is within the jurisdiction of FCD, or informal resolution was not possible, it will be promptly and impartially investigated. FCD's goal is to address complaints within 60 days of receipt, though the time to carefully investigate complaints may be longer depending on the nature of the complaint and complexity of the issue.

#### Preliminary Inquiry

FCD will conduct a preliminary inquiry to determine the need for further investigation.

- FCD will notify the complainant in writing that a preliminary inquiry is underway to determine the need for further investigation.
- If the preliminary inquiry by FCD indicates that an investigation is warranted, the complainant will be notified in writing and an interview will be scheduled.
- If the preliminary inquiry indicates an investigation is not warranted, the complainant will be notified in writing of the reasons why and factors considered.

#### Complaint Investigation

- Complaints warranting further investigation will be promptly and impartially processed by the FCD Nondiscrimination Program Coordinator. The preponderance of evidence standard will be applied to all complaint investigations. The results of the investigation will be provided by the FCD Chief Administrator for review.
- The complainant will be notified in writing of the results of the investigation and what actions will be/have been taken in response and a timeline to request a review.

Records and investigative files will be kept for a minimum of three years.

#### Intimidation and Retaliation Prohibited

FCD will not tolerate intimidation, threats, coercion, or discrimination against any individual or group, either:

- For the purpose of interfering with any right or privilege guaranteed under law or regulations, or
- Because the individual has filed a complaint or has testified, assisted or participated in any way in an investigation, proceeding, or hearing or has opposed any FCD action or decision.

#### For questions, please contact:

Kelli A. Sertich, AICP, CFM  
FCD Nondiscrimination Program Coordinator  
Flood Control District of Maricopa County  
2801 West Durango Street  
Phoenix, AZ 85009  
E-mail: kas@mail.maricopa.gov  
Phone: 602-506-2202

**Organizational Chart and Staffing**

Flood Control District of Maricopa County (FCD) Organizational Chart shows that the Title VI Coordinator is placed within the organization to have easy access to the Director of FCD.



## Exhibit A – Title VI Notice to the Public



### **TITLE VI** NOTICE TO THE PUBLIC NOTIFICACIÓN AL PÚBLICO

The Flood Control District of Maricopa County (FCD) hereby gives public notice that it is agency policy to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 and related statutes and regulations in all programs and activities. Title VI requires that no person shall, on the grounds of race, color, sex, national origin, age or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any Federal program or other activity for which FCD receives federal financial assistance.

Any person, who believes his/her Title VI protection has been violated, may file a complaint. Any such complaint must be in writing and filed with the FCD Title VI Program Coordinator within one-hundred-eighty (180) days following the date of the alleged discriminatory occurrence. Title VI Discrimination Complaint Forms may be obtained from FCD by contacting:

Por medio de la presente se comunica públicamente que Flood Control District of Maricopa County (FCD por sus siglas en inglés) tiene como política, asegurar el pleno cumplimiento del Título VI de la Ley de Derechos Civiles de 1964, el Acta de Restablecimiento de Derechos Civiles de 1987, así como también todos los estatutos y regulaciones relacionados a las mismas en cada uno de sus programas y actividades. El Título VI exige que ninguna persona podrá ser en base a su raza, color, sexo, nacionalidad, edad o discapacidad, excluida de participar en, negársele beneficios para, o ser sujeta a discriminación bajo ningún programa federal o cualquier otra actividad por la cual FCD reciba asistencia financiera federal.

Cualquier persona que crea que se le fue violada su protección bajo el Título VI puede presentar una denuncia. Ésta debe ser presentada por escrito al coordinador del Programa del Título VI de FCD dentro de los ciento ochenta (180) días posteriores a la fecha del supuesto hecho discriminatorio. Los formularios de denuncia pueden ser obtenidos en las instalaciones de FCD o poniéndose en contacto con:

#### **FCD TITLE VI PROGRAM**

**Kelli A. Sertich**

FCD Nondiscrimination Program Coordinator

2801 W. Durango Street, Phoenix, AZ 85009

Phone: 602.506.2202 | Fax: 602.506.7346

<https://fcd.maricopa.gov/3847/Flood-Control-District>

[fcd.maricopa.gov](https://fcd.maricopa.gov)

# Exhibit B – Title VI Discrimination Complaint Form-English



## TITLE VI COMPLAINT FORM



Note: The following information is needed to assist in processing your complaint.

### COMPLAINANT'S INFORMATION

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Home Phone Number: \_\_\_\_\_ Work Phone Number: \_\_\_\_\_

### PERSON DISCRIMINATED AGAINST (SOMEONE OTHER THAN COMPLAINANT)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Home Phone Number: \_\_\_\_\_ Work Phone Number: \_\_\_\_\_

### WHICH OF THE FOLLOWING BEST DESCRIBES THE REASON YOU BELIEVE THE DISCRIMINATION TOOK PLACE?

Race/Color (Specify) \_\_\_\_\_  National Origin (Specify) \_\_\_\_\_

Sex (Specify) \_\_\_\_\_  Age (Specify) \_\_\_\_\_  Disability (Specify) \_\_\_\_\_

On what date(s) did the alleged discrimination take place? \_\_\_\_\_

### DESCRIBE THE ALLEGED DISCRIMINATION. EXPLAIN WHAT HAPPENED AND WHO YOU BELIEVE WAS RESPONSIBLE

(If additional space is needed, add a sheet of paper)

### LIST NAMES AND CONTACT INFORMATION OF PERSONS WHO MAY HAVE KNOWLEDGE OF THE ALLEGED DISCRIMINATION

HAVE YOU FILED THIS COMPLAINT WITH ANY OTHER FEDERAL, STATE, OR LOCAL AGENCY, OR WITH ANY FEDERAL OR STATE COURT?  
(Check all that apply)

Federal Agency  Federal Court  State Agency  State Court  Local Agency

### PLEASE PROVIDE INFORMATION ABOUT A CONTACT PERSON AT THE AGENCY/COURT WHERE THE COMPLAINT WAS FILED

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Home Phone Number: \_\_\_\_\_ Work Phone Number: \_\_\_\_\_

PLEASE SIGN BELOW. YOU MAY ATTACH ANY WRITTEN MATERIALS OR OTHER INFORMATION YOU THINK IS RELEVANT TO YOUR COMPLAINT

\_\_\_\_\_ Number of Attachments: \_\_\_\_\_  
Complainant Signature Date

**SUBMIT FORM AND  
ANY ADDITIONAL INFORMATION TO:**

**FCD TITLE VI PROGRAM  
Kelli A. Sertich**

FCD Nondiscrimination Program Coordinator  
2801 W. Durango Street, Phoenix, AZ 85009  
Phone: 602.506.2202 | Fax: 602.506.7346  
<https://fcd.maricopa.gov/3847/Flood-Control-District>

# Exhibit B.1 – Title VI Discrimination Complaint Form-Spanish



## TÍTULO VI FORMULARIO DE DENUNCIA



**Nota: La siguiente información es necesaria para ayudar a procesar su denuncia**

### INFORMACIÓN DEL DENUNCIANTE

Nombre: \_\_\_\_\_

Dirección: \_\_\_\_\_

Ciudad: \_\_\_\_\_ Estado: \_\_\_\_\_ Código postal: \_\_\_\_\_

Número de teléfono (casa): \_\_\_\_\_ Número de teléfono (trabajo): \_\_\_\_\_

### PERSONA QUE FUE DISCRIMINADA (SI ES UNA PERSONA DIFERENTE AL DENUNCIANTE)

Nombre: \_\_\_\_\_

Dirección: \_\_\_\_\_

Ciudad: \_\_\_\_\_ Estado: \_\_\_\_\_ Código postal: \_\_\_\_\_

Número de teléfono (casa): \_\_\_\_\_ Número de teléfono (trabajo): \_\_\_\_\_

### DE LAS SIGUIENTES OPCIONES, ¿CUÁL DESCRIBE MEJOR LA RAZÓN POR LA QUE USTED CREE QUE FUE DISCRIMINADO?

Raza/Color (especifique) \_\_\_\_\_  Nacionalidad (especifique) \_\_\_\_\_

Sexo (especifique) \_\_\_\_\_  Edad (especifique) \_\_\_\_\_  Discapacidad (especifique) \_\_\_\_\_

¿En qué fecha/s tuvo lugar la supuesta discriminación? \_\_\_\_\_

**DESCRIBA LA SUPUESTA DISCRIMINACIÓN. EXPLIQUE QUÉ SUCEDIÓ Y QUIÉN CREE USTED QUE FUE EL RESPONSABLE.**  
(Si necesita más espacio, puede añadir otra hoja).

### LISTE NOMBRES E INFORMACIÓN DE CONTACTO DE LAS PERSONAS QUE PUEDAN TENER CONOCIMIENTO DE LA SUPUESTA DISCRIMINACIÓN.

### HA ENTABLADO USTED UNA DENUNCIA CON ALGUNA OTRA AGENCIA O CORTE FEDERAL, ESTATAL O LOCAL?

(Marque todas las opciones que apliquen).

Agencia federal  Corte federal  Agencia estatal  Corte estatal  Agencia local

### PROVEA LA INFORMACIÓN DEL CONTACTO DESIGNADO EN LA AGENCIA O CORTE DONDE LA DENUNCIA FUE ENTABLADA.

Nombre: \_\_\_\_\_

Dirección: \_\_\_\_\_

Ciudad: \_\_\_\_\_ Estado: \_\_\_\_\_ Código postal: \_\_\_\_\_

Número de teléfono (casa): \_\_\_\_\_ Número de teléfono (trabajo): \_\_\_\_\_

**POR FAVOR FIRME EL FORMULARIO EN EL ESPACIO DE ABAJO. USTED PUEDE INCLUIR CUALQUIER MATERIAL ESCRITO U OTRA INFORMACIÓN QUE CONSIDERE RELEVANTE A SU DENUNCIA.**

\_\_\_\_\_  
Firma del denunciante

\_\_\_\_\_  
Fecha

Número de archivos adjuntos: \_\_\_\_\_

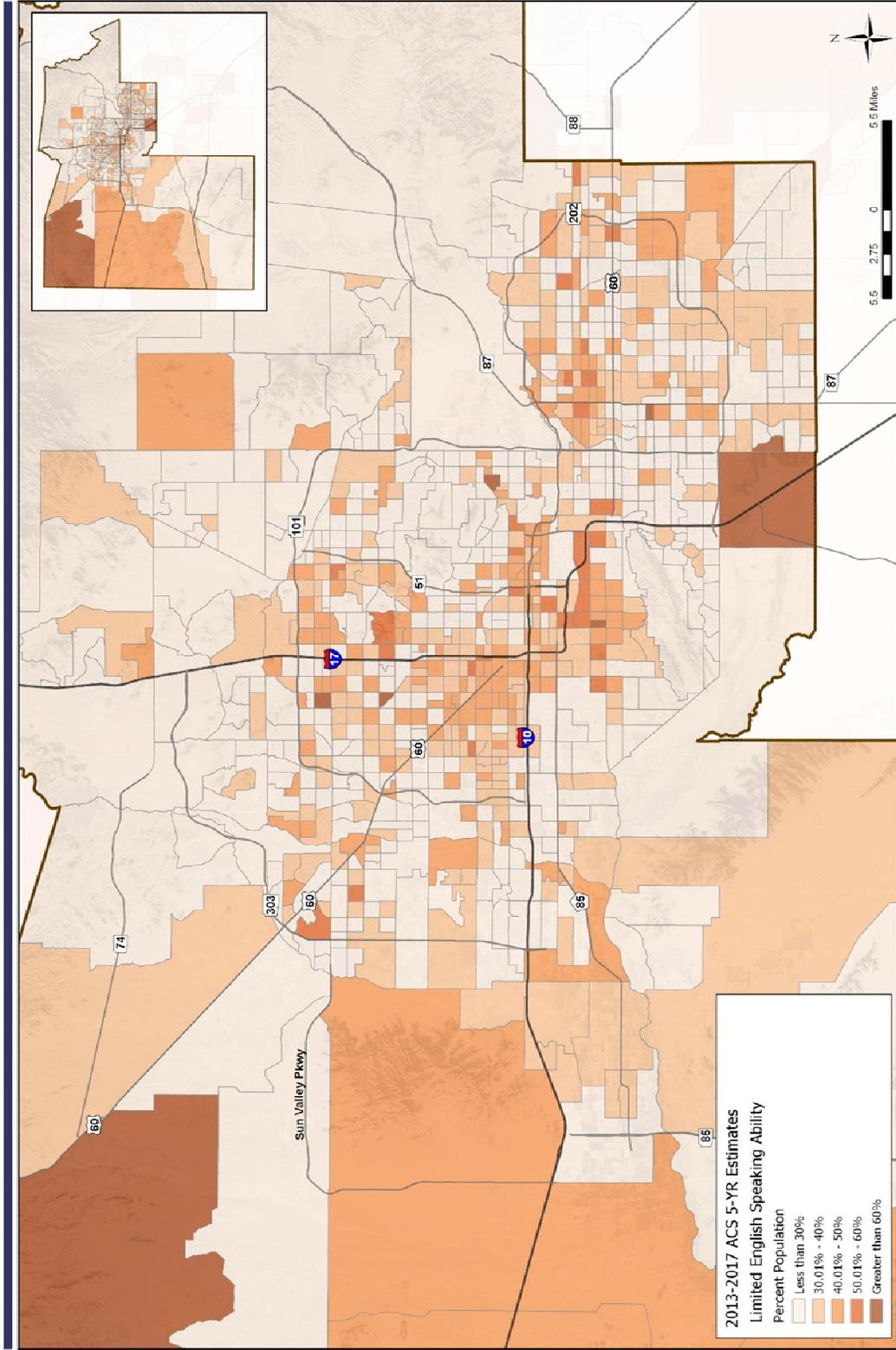
**ENVÍE ESTE FORMULARIO Y  
CUALQUIER OTRA INFORMACIÓN ADICIONAL A:**

**FCD TITLE VI PROGRAM**  
**Kelli A. Sertich**  
Coordinadora del Programa de No-Discriminación de FCD  
2801 W. Durango Street, Phoenix, AZ 85009  
Teléfono: 602.506.2202 | Fax: 602.506.7346  
<https://fcd.maricopa.gov/3847/Flood-Control-District>



# Exhibit D.1 – Map: Population with Limited English Speaking Ability

## Flood Control District Maricopa County Percent Population with Limited English Speaking Ability



Document Path: \\giswork\maricopa.gov\GISWork\Blair\Assignments\Casatneda\_FCD\FCD\_TileVProgram.aprx

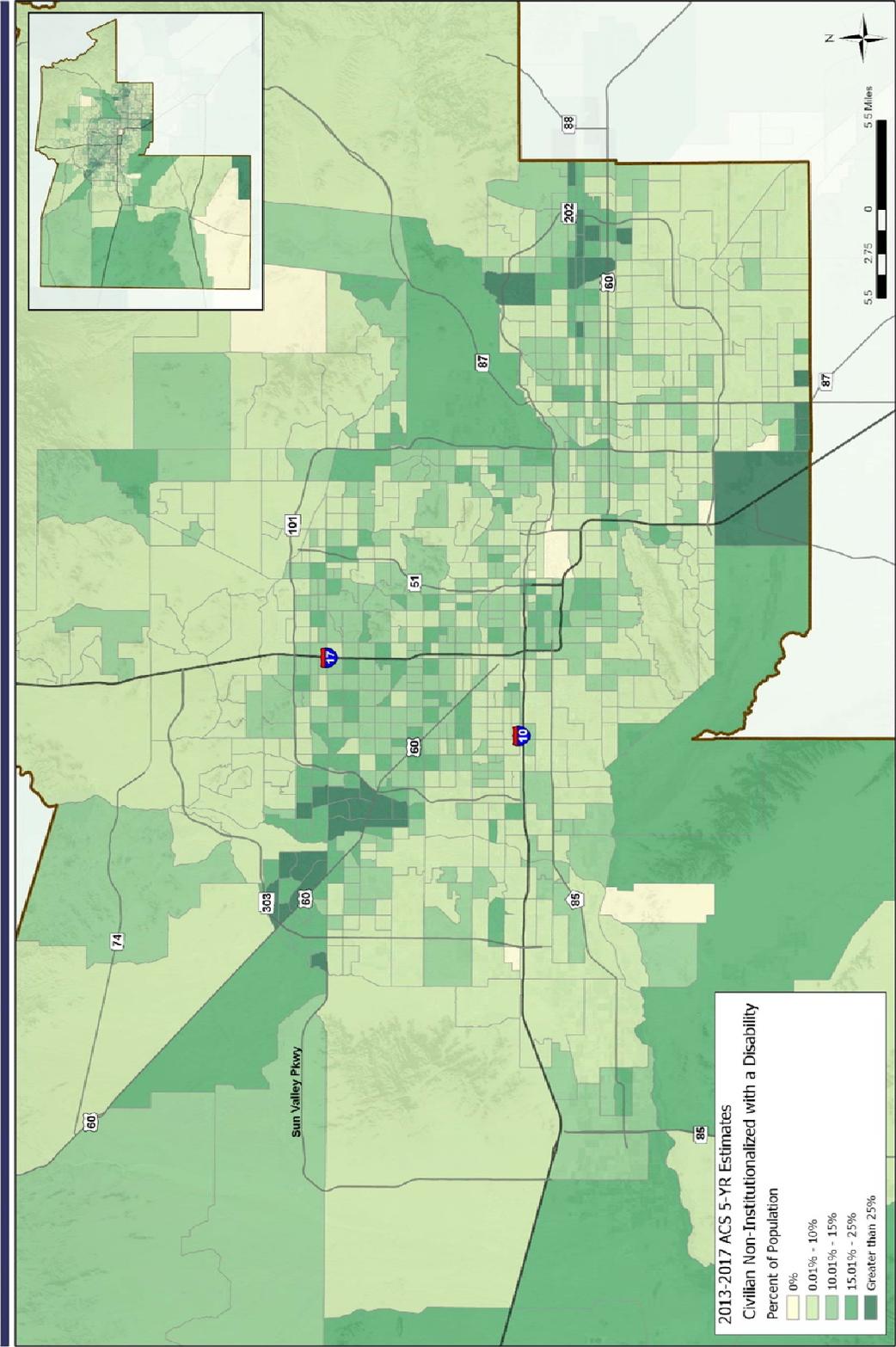
2801 West Durango Street, Phoenix, Arizona 85009, (602) 506-1501

www.fcd.maricopa.gov

Maricopa County OET, GIS Division, 7/24/2019

# Exhibit D.2 – Map: Population with a Disability

Flood Control District  
**Maricopa County Civilian Non-Institutionalized Population Proportions with a Disability**



Maricopa County OET, GIS Division, 7/25/2019

2801 West Durango Street, Phoenix, Arizona 85009, (602) 506-1501

Document Path: \\giswork\maricopa.gov\GISWork\Bar\T\Assignments\Casarencia\_FCD\FCD\_TileV\Program\FCD\_TileV\Program.aprx