

BCC Mtg. Date: Apr. 5, 2022

RESOLUTION

of the

ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS

regarding

THE ADOPTION OF THE ORANGE COUNTY TITLE VI
NONDISCRIMINATION POLICY AND PLAN FOR COMPLIANCE
WITH THE TITLE VI REQUIREMENTS OF THE CIVIL RIGHTS
ACT OF 1964, SECTION 504 OF THE REHABILITATION ACT
OF 1973, AND OTHER NONDISCRIMINATION AUTHORITIES

RESOLUTION NO. 2022-M-11

WHEREAS, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and other nondiscrimination authorities (Authorities) require that “no person shall be excluded from participation in, denied the benefits of, or be subjected to discrimination in any federally-funded program, policy, or activity on the basis of race, color, national origin, disability, religion, income, sex, age, or familial status”; and

WHEREAS, Orange County is a direct and sub-recipient of federal-aid highway and other program funds and is in the process of recertifying as a Florida Department of Transportation (FDOT) Local Agency Program (LAP) Certified County; and

WHEREAS, the Implementation and Review Procedures of the Title VI Program and Related Statutes, 23 C.F.R. Part 200, requires FDOT to conduct reviews of sub-recipients of federal-aid highway funds to ensure the compliance of sub-recipients with Title VI of the Civil Rights Act and various other nondiscrimination authorities; and

WHEREAS, LAP Recertification requires the submittal of a Sub-Recipient Compliance Assessment Tool (SCAT) to the FDOT that includes certification of compliance with nondiscrimination provisions of Title VI and with Title II of the Americans with Disabilities Act (ADA); and

WHEREAS, the LAP SCAT requires that Orange County adopt by resolution a written Title VI Nondiscrimination Policy and Plan which establishes the County's nondiscrimination policy statement, complaint filing procedures, outreach to advise the public of nondiscrimination policies and obtain input, and provide other assurances, including the FDOT Title VI/Nondiscrimination Assurance document, attached hereto as Appendix "A" and incorporated herein, to certify to the FDOT and Federal Highway Administration (FHWA) that the County's programs, services, and activities are being conducted in a nondiscriminatory manner, including appropriate public involvement and services for persons with limited English proficiency as defined by the U.S. Census; and

WHEREAS, the proposed Orange County Title VI Nondiscrimination Policy and Plan ("Policy and Plan"), attached hereto as Appendix "B" and incorporated herein, provides for Orange County to continue to build public facilities and infrastructure in compliance with ADA standards, to make reasonable accommodations to allow persons with disabilities to access county facilities, and to comply with Title II of the ADA through implementation and update of the County's ADA Transition Plan for the construction and repair of sidewalks, curb ramps, and other facilities within public-rights-of-way, as described in Resolutions 2014-M-07, 2016-M-10, and 2019-M-18;

WHEREAS, in compliance with federal nondiscrimination authorities, the proposed Policy and Plan provides for the identification, avoidance, and mitigation of disproportionately high and adverse environmental, social, or economic effects on minority or low-income populations from the County's programs, policies, and activities; and

WHEREAS, in compliance with federal nondiscrimination authorities, and as an additional component of the County's goals to promote diversity, equity and inclusion, the Policy and Plan provides for full and fair participation of all potentially-affected communities in transportation decisions and prevention of denial, reduction, or significant delays in benefits to minority and low-income populations; and

WHEREAS, the Policy and Plan must be noticed and made available to the general public following adoption and be recertified to the FDOT and FHWA every three (3) years.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY (the "BCC"):

Section 1. The foregoing premises are incorporated herein and are found to be fair and accurate statements.

Section 2. Orange County hereby adopts the proposed Orange County Title VI Nondiscrimination Policy and Plan to effectuate the nondiscrimination policy statement, protocols, processes, and procedures contained therein, and agrees to provide other assurances, including certain nondiscrimination assurances outlined in the FDOT Title VI/Nondiscrimination Assurance document. The proposed Orange County Policy and Plan includes the County's Title VI/Nondiscrimination Policy, Title II ADA Compliance Statement, complaint procedures, and provisions to assist Limited English Proficiency persons.

Section 3. A copy of this Resolution shall be attached to the aforementioned Orange County Title VI Nondiscrimination Policy and Plan.

ADOPTED THIS 5th DAY OF April, 2022.

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: *Jerry L. Demings*
for Jerry L. Demings
County Mayor

ATTEST: Phil Diamond, CPA, County Comptroller,
As Clerk of the Board of County Commissioners

By: *Katie Smith*
Deputy Clerk

