RESOLUTION OF THE BOARD OF COMMISSIONERS OF SAMMAMISH PLATEAU WATER AND SEWER DISTRICT, KING COUNTY, WASHINGTON, ADOPTING CIVIL RIGHTS POLICIES AND GRIEVANCE PROCEDURE.

WHEREAS, the Sammamish Plateau Water and Sewer District ("District") affirms to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations; and

WHEREAS, the District secured a $1.585 million Federal appropriation to mitigate the expense to customers for constructing Per- and Poly-fluoroalkyl Substances ("PFAS") treatment removal; and

WHEREAS, one of the conditions to access the federal funding, the District must adopt certain policies to be considered in compliance with federal civil rights laws and regulations; now, therefore,

BE IT RESOLVED, by the Board of Commissioners of Sammamish Plateau Water & Sewer District, King County, Washington, as follows:

SECTION 1. Adoption. The policies and procedure related to civil rights, attached as "Exhibit A", are hereby adopted and shall be codified as a new Chapter in under Title 2 of the Code of Resolutions of the Sammamish Plateau Water and Sewer District.

SECTION 2. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of constitutionality of any other section, sentence, clause or phrase of this Resolution.

SECTION 3. Corrections. Upon approval of the District’s Legal Counsel, the clerk and the codifiers of this Resolution are authorized to make necessary technical corrections to this Resolution, including, without limitation, the correction of clerical errors; references to other local, state, or federal laws, codes, rules, or regulations; or section/subsection numbering.

SECTION 4. Effective Date. The Resolution shall be in full force and effective upon adoption hereof.
ADOPTED by the Board of Commissioners of Sammamish Plateau Water and Sewer District, King County, Washington, at a regular open public meeting held on the 17th day of July 2023.

Individual Commissioner’s Vote on this Resolution:

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Lloyd Warren, President and Commissioner

Ryika Hooshangi

Ryika Hooshangi, Vice President and Commissioner

Mary Shustov, Secretary and Commissioner

Tom Harman, Commissioner

Nav Otal

Nav Otal, Commissioner
CHAPTER 2.27. – CIVIL RIGHTS AND NON-DISCRIMINATION

Sec. 2.27.010. – Notice of non-discrimination.

Sammamish Plateau Water and Sewer District does not discriminate on the basis of race, color, national origin, disability, age, or sex in administration of its programs or activities, and, Sammamish Plateau Water and Sewer District does not intimidate or retaliate against any individual or group because they have exercised their rights to participate in actions protected, or oppose action prohibited, by 40 Code of Federal Regulations (“C.F.R.”) Parts 5 and 7, or for the purpose of interfering with such rights.

Sec. 2.27.020. – Designation of civil rights coordinator.

A. The District general manager, or the general manager’s designee, are designated as the District civil rights coordinator.

B. The civil rights coordinator is responsible for coordination of compliance efforts and receipt of inquiries concerning non-discrimination requirements implemented by 40 C.F.R. Parts 5 and 7 (Non-discrimination in Programs or Activities Receiving Federal Assistance from the Environmental Protection Agency), including Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975; Title IX of the Education Amendments of 1972; and Section 13 of the Federal Water Pollution Control Act Amendments of 1972 (referred to collectively as the federal non-discrimination laws).

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Sec. 2.27.030. – Grievance procedures.

A. Anyone who believes they have been discriminated against by Sammamish Plateau Water and Sewer District on the grounds of race, color, national origin, disability, age, or sex, or believe they have been retaliated against or intimidated on the same grounds, may file a formal complaint with Sammamish Plateau Water and Sewer District by the described process in subsection (B) of this section.

B. Complaint filing process.

1. Complaints must be filed in writing within 180 business days from the date the incident occurred. A complaint must contain the following information:
   a. Name, address, email, and phone number.
   b. If you are a Sammamish Plateau Water and Sewer District employee and your complaint is about discrimination you experienced at work.
   c. Name of the program or Sammamish Plateau Water and Sewer District employee(s) your complaint concerns.
   d. Description of the alleged discrimination, including the location and date of the event and the basis (race, color, national origin, disability, age, sex, or retaliation).
   e. Signature of the complainant.

2. For job, hiring-related, or all other discrimination complaints, complaints shall be delivered using one of the following methods:
   a. Electronically by emailing: CivilRightsCoordinator@spwater.org
   b. By mail to:
      Civil Rights Coordinator
      Sammamish Plateau Water and Sewer District
      1510 228th Avenue SE; Sammamish, WA 98075

C. Complaint investigation process.

1. The civil rights coordinator will acknowledge receipt of the grievance within 5 business days and shall conduct an investigation of the complaint. This investigation will be thorough, affording all interested persons an opportunity to submit evidence relevant to the complaint. The civil rights coordinator will maintain the files and records relating to such grievances. To the extent possible, and in accordance with applicable law, the civil rights coordinator will take appropriate steps to preserve the confidentiality of files and records.
relating to grievances and will share them only with those who have a need to know.

2. The civil rights coordinator will issue a written decision on the grievance, based on a preponderance of the evidence, after the completion of the investigation, including a notice to the complainant of the findings. The written decision will include whether discrimination is found and the description of the investigation process.

3. The complainant may appeal the decision of the civil rights coordinator to the Board of Commissioners in writing within 10 business days of receiving the civil rights coordinator decision.

4. Within 30 business days of the appeal of the civil rights coordinator’s decision, the Board of Commissioners shall schedule a date for the appeal to be considered by the Board. The complainant shall be notified in advance of the meeting date, in writing.

5. Within 30 business days of the Board meeting, the Board shall issue a written decision, a copy of which shall be provided to the complainant.

D. Legal Complaint

If the complainant is dissatisfied with the District’s handling of the grievance at any stage of the process or does not wish to file a grievance through the Civil Rights Grievance Procedure, the complainant may file a complaint directly with the United States Department of Justice or other appropriate state or federal agency or court. Use of the District’s grievance procedure is not a prerequisite to the pursuit of other remedies.

E. Records Retention

The District’s civil rights coordinator shall maintain all documents on file for civil rights complaints for a period of three (3) years or until the complaint is resolved when any complaint or other action for alleged failure by the District to comply with 40 CFR Parts 5 and/or 7 is brought before the three-year period ends.