

CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 3rd Floor, Long Beach, CA 90802 (562) 570-5237

October 6, 2015

HONORABLE MAYOR AND CITY COUNCIL City of Long Beach California

RECOMMENDATION:

Receive and file a status update on the implementation of the Language Access Policy, and adopt the Resolution amending and restating the Language Access Policy. (Citywide)

DISCUSSION

The Language Access Policy (LAP) was adopted by City Council on August 13, 2013, and on September 2, 2014, City Council allocated \$250,000 toward implementation of the LAP. On March 3, 2015, Development Services staff provided an update to City Council and, as a follow-up, on June 1, 2015, sent a memo to the City Council on the implementation of the key elements of the LAP which included: (1) analytics on language line; (2) Google translation on the City website; (3) recorded telephonic messages; and (4) public notices, and amendment to the LAP with reference to the use of minors as interpreters.

Following the June 1 update, a number of initiatives have occurred to further the implementation of the LAP. A directory of staff receiving bilingual skill pay in LAP Languages was completed and uploaded to the City's intranet for citywide accessibility. This directory will be maintained and updated every six months. City employees have been notified about the directory with utilization instructions.

Development Services has selected vendors to provide court-certified translation and interpretation services to implement the LAP. Development Services staff has requested 177 documents from City Departments to comply with document translation as part of the LAP. The Language Access Coalition and Centro CHA identified these documents as priority documents to translate. We received 165 documents from City Departments, and they have been translated into the LAP Languages (Exhibit A). The remaining documents were deemed as no longer in use by the departments. Twenty additional documents, not on the initial list, were translated using LAP funds due to requests by the general public.

The Technology and Innovation Department has completed Phase One of the City's new website update, which includes the Google translate feature on each webpage. As part of Phase Two, all departments will be encouraged to upload the previously translated documents onto their respective department web pages. Oral interpretation and document translation continues to be available upon request for City Council and Charter Commission meetings.

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The Language Line Pilot Program is now available citywide. The Technology and Innovation Department has all recorded outgoing messages in LAP Languages for the most frequently used phone lines within City departments (Exhibit B). The designated City staff receiving phone calls in the LAP Languages have been instructed on how to utilize Language Line for interpretation services.

Development Services worked with the Water Department to have the LAP notification inserted in the June 2015 Newsletter, which is included in utility billing. This insert notified residents of the LAP and was provided in LAP Languages. It is reported that 150,000 households in Long Beach received the notification.

Development Services selected a vendor who has developed a training curriculum for staff receiving bilingual skill pay. The training includes appropriate techniques and ethics with respect to interpretation and translation. It is estimated that all bilingual skill pay staff (approximately 447 staff) will have completed the training by September 30, 2015.

Also, at its meeting on March 3, 2015, City Council passed a motion to amend the LAP to address the use of children as interpreters. Staff worked with the City Attorney's Office and public safety departments, and crafted the attached Resolution updating the LAP pursuant to such request.

This matter was reviewed by Deputy City Attorney Linda Vu on September 9, 2015, and by Budget Management Officer Victoria Bell on September 24, 2015.

TIMING CONSIDERATIONS

City Council action on this matter is not time critical.

FISCAL IMPACT

The Fiscal Year 2015 (FY 15) budget included nearly \$250,000 in General Fund (GF) funding in the Department of Development Services to implement the LAP. This non-recurring funding was used to record phone messages in the LAP languages, to use Language Line, translate highly used documents and webpages, train staff and notice the public about the LAP. The City made significant progress in implementing the LAP during FY 15. Because FY 15 was the first year implementing the LAP and the budget was based on staff's best efforts to estimate costs, LAP implementation had a budget savings of \$70,000. The FY 16 budget for the LAP includes the \$70,000 in savings and an additional \$80,000 in non-recurring GF support. During FY 16, staff will continue to translate documents, utilize Language Line, program the remaining 16 most frequently called phone lines, make interpretation services available for public meetings, conduct annual staff training on best practices for translating, post notices about LAP services in the public areas of City facilities, including evacuation routes.

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SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

AMY J. BODEK, AICP DIRECTOR OF DEVELOPMENT SERVICES

APPROVED:

AJB:AR:TC:ar

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Attachments: Resolution

Exhibit A – Written Translation of Documents
Exhibit B – Most Frequently Called Phone Lines

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AMENDING AND RESTATING A LANGUAGE ACCESS POLICY

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WHEREAS, on November 1, 2011, the City Council passed a motion to craft a citywide Language Access Policy; and

WHEREAS, on August 13, 2013, the City of Long Beach adopted

Resolution No. RES-13-0071 in which the City adopted a Language Access Policy; and

WHEREAS, at its meeting on March 3, 2015, the City Council received a status update on the implementation of the Language Access Policy and passed a motion to amend the Policy to address the use of minors as interpreters;

NOW, THEREFORE, the City Council of the City of Long Beach resolves as follows:

Section 1. That the City Council of the City of Long Beach hereby amends and restates the Language Access Policy, as set forth in Exhibit "A", attached hereto and made a part hereto by this reference as if fully set forth.

Section 2. This resolution shall amend, restate, replace and supersede Resolution No. RES-13-0071.

Section 3. This resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk shall certify the vote adopting this resolution.

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OFFICE OF THE CITY ATTORNEY CHARLES PARKIN, City Attorney 333 West Ocean Boulevard, 11th Floor Long Beach, CA 90802-4664

I her	eby certify that the	foregoing	resolution	was	adopted	by	the City
Council of the City	of Long Beach at its	meeting of					, 2015
by the following vo	te:						
Ayes:	Councilmembers:						
		en e			·		
Noes:	Councilmembers:						
Absent:	Councilmembers:		4-14-7-44-7				
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City of Long Beach Language Access Policy

Findings and Purpose

The Long Beach City Council hereby finds and declares that there are people who live, work, and pay taxes in the City of Long Beach, who are unable to communicate effectively in English because their primary language is not English. It is of importance that residents, regardless of their proficiency in English, have access to City programs and services. This Policy establishes standards and procedures for providing equal access to City services and programs to all residents, including those with limited proficiency in English. This Policy exceeds the state requirement under the California Dymally-Alatorre Bilingual Services Act, Government Code 7290 et seq., which generally requires state and local public agencies serving a substantial number of limited English-speaking people to provide services and materials in the language(s) spoken by those persons, to the extent that funding is available. According to the 2009-2011 American Community Survey 3-Year Estimate, Spanish-speaking residents qualify under the State definition. However, based on the City's substantial number of limited English speaking Cambodian and Filipino residents, staff recommends that the LAP also be applied to the Cambodian and Filipino population of Long Beach.

Definitions

As used in this Policy, the following capitalized terms shall have the following meanings:

- (a) "Bilingual Employee" shall mean a City employee who is proficient in the English language and a non-English language that is spoken by three percent (3%) or more Limited English Speaking Persons who reside in the City
- (b) "City" shall mean the City of Long Beach.
- (c) "Department" shall mean any City department as the City Manager may designate.
- (d) "Limited English Speaking Person" shall mean an individual who does not speak English well or is otherwise unable to communicate effectively in English because English is not the individual's primary language.
- (e) "Minor" shall mean any person under the age of eighteen (18).
- (f) "Point of Contact Position" shall mean a position, whether of clerical, service, professional or sworn nature, that emphasizes greeting, meeting, contact, or provision of information and/or services to the public in the performance of the duties of that position.
- (g) "Substantial Number of Limited English Speaking Persons" shall mean three percent (3%) or more Limited English Speaking Persons residing in the City who speak a shared language other than English
- (h) "Sufficient Bilingual Employees" shall mean the number of employees required to provide the same level of services to Limited English Speaking Persons as is available to English-speaking persons seeking any City services.

Bilingual Staffing

- (a) All public contact positions shall have access to a directory of qualified bilingual staff.
- (b) Departments shall share employee translation and interpretation services across departments as needed.
- (c) Nothing herein shall be construed to authorize or require the termination, demotion, or transfer of any City of Long Beach employee in order to carry out this Policy.

Translation of Materials

- (a) The City Manager shall establish or procure translation services for the purpose of translating written materials for City departments and providing translations for public meetings as needed. The City Manager will determine what materials are deemed necessary.
- (b) Upon determination of the City Manager and to the extent funding is available, City departments may offer to translate the following written materials that provide vital information to the public about the Department's services or programs.
 - (1) Written materials disseminated to the public including, but not limited to, brochures, and outreach materials.
 - (2) Applications or forms to participate in a Department's program or activity or to receive its benefits or services.
 - (3) Notices advising limited English-proficient persons of free language assistance.
 - (4) Materials explaining a Department's services or programs.
 - (5) Public service announcements, press releases, community alerts and education campaign material.
 - (6) Complaint forms.
 - (7) Every department's main website page shall have a written notice regarding translation of material.
 - (8) Any other written documents that have the potential for determining eligibility for, or access to, services from, or participating in, a program of a City department.

(The following departments currently provide written translated material: City Attorney, City Clerk, City Manager, City Prosecutor, Civil Services, Development Service, Fire, Harbor, Health and Human Services, Human Resources (Pacific Gateway), Library Services, Long Beach Gas and Oil, and Police.)

(c) Departments shall post notices in the public areas of their facilities indicating staff speaking those languages designated in this Policy are available. The notices shall be posted prominently and shall be readily visible to the public.

(The Long Beach Police Department provides posted notices in public areas of their facilities indicating interpretation is available.)

Public Meetings and Hearings

- (a) City Commissions and Departments shall not be required to translate meeting notices, agendas, or minutes. On City Council and Commission meeting agendas and minutes, a statement shall be included in multiple languages, as determined by the City Manager, that the information is available upon request in the languages designated in this Policy
- (b) Oral interpretation of any public meeting or hearing held by City Council or a Charter City Commission shall be provided if requested at least seventy-two (72) hours in advance of the meeting or hearing in question. At City Council and Commission meetings extra speaking time shall be given when translation is needed.

(The following departments provide interpretation of public meetings upon request: City Attorney, City Clerk, City Manager, City Prosecutor, Development Services, Health and Human Services, Parks, Recreation and Marine, and Police.)

Recorded Telephonic Messages

All Departments shall maintain recorded telephonic messages in the languages designated in this Policy. The message shall contain basic information about the Department's operation including, at minimum, business hours, location(s), services offered and the means of accessing such services, and the availability of language assistance.

(The following departments maintain a recorded telephonic message in English and Spanish: Development Services, City Prosecutor and Health and Human Services.)

Recruitment

- (a) It shall be the policy of the City to publicize job opening for Department's Point of Contact Positions as widely as possible. For every Point of Contact Position for which bilingual capacity is needed, the job shall be advertised as a bilingual position for which bilingual conversational proficiency is a preferred job skill.
- (b) It shall be the policy of the City to attract a pool of qualified bilingual applicants for job openings in order to increase the opportunities for finding qualified Bilingual Employees to fill Point of Contact Positions.
- (c) Each Department's recruitment efforts shall be consistent with the City's selective bilingual certification process.

 (Civil Service provides bilingual skill pay certification for qualifying City employees and Human Resources authorizes bilingual skill pay upon certification. Job openings requiring bilingual capacity are advertised as such.)

Monitoring and Structure

The City Manager shall be responsible for monitoring and facilitating compliance with this Policy and updating City Council bi-annually.

Use of Minors as Interpreters (No Cost)

The City does not encourage Limited English Proficient (LEP) individuals to use friends, family members or children under the age of eighteen (18) as interpreters. LEP individuals seeking nonemergency

City services, assistance or information should be notified about the City Language Access Policy (LAP). City Staff will look first to employees receiving bilingual skill pay in LAP languages to assist LEP individuals when LEP individuals seek City services, assistance or information. If an employee receiving bilingual skill pay is not available, City staff should then utilize Language Line if it is available.

There is currently no law that prohibits the use of children or minors as interpreters. The City shall strive to provide translation services in lieu of utilizing minors as interpreters, especially in cases when discussions and information are beyond children's comprehension, inappropriate, or unseemly to children. LAP aims to limit the use of minors as interpreters, as all departments will have access to staff who can translate into Spanish, Khmer, and Tagalog. The Police and Fire Departments often come into contact with children, and already have access to Language Line, which can be used as an alternative. Except in situations where deemed time sensitive or necessary, or at the request of the individual, Departments will strive not to utilize minors as translators and, instead, use the elements of LAP.

Therefore, minors should not be used as interpreters except in emergency circumstances. "Emergency circumstances" are defined as situations that require deviation from procedures, such as a threat to health, safety or property. Examples of emergency circumstances include, but are not limited to, any fire/police response or calls for service, loss of housing, loss of benefits or utility shut offs. The use of minors in emergency circumstances should be limited to initial communications to alleviate the emergency. Once the emergency situation has ended, the City should find an appropriate alternative.

Best Efforts (\$726,800)

The City shall use best efforts for the following:

- (a) Departments shall hire a sufficient number of bilingual employees in Point of Contact Positions so as to adequately serve members of the languages designated in this Policy. The City Manager will determine the adequacy of the services. (\$658,112)
- (b) Public Safety Personnel shall respond to persons in their primary language as designated in this Policy. (Not quantifiable at this time.)

 (The following departments currently use Language Line: Fire and Police.)
- (c) Staff acting as interpreters or translators shall be trained regarding appropriate techniques and ethics with respect to interpretation and translation. (\$55,725)
- (d) Widespread notice of the City's Language Access Policy shall be circulated, in the languages designated in this Policy, including notice on the City's website, so that community members are aware of their rights pursuant to the Policy. (\$12,963)
- (e) Translation shall be provided for written notices of fines or rights to, determination of eligibility of, award of, denial of, loss of, or decrease in a benefit, City service or program, including the right to appeal any Department's decision. (Not quantifiable at this time.)
- (f) Translation shall be provided for official city signage including evacuation routes and city resource signs. (Not quantifiable at this time.)
- (g) Partner with local community ethnic groups to assist with translation and dissemination of information to specific populations. (Not quantifiable at this time.)

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× × × ×	×	×	Library Card Applications
Form Vendor Spanish Khmer Tagalog Returned Notes	Khmer Tagalog	Spanish Khı	Bureau Language Access Policy Sp

Bureau	Language Access Policy	Spanish	Khmer	Tagalog	Received Form	Sent to Vendor	Spanish	Khmer	Tagalog	Returned to Dept.	Notes
Investigations Bureau	Compensation For Victims Of Violent Crimes	×	×		×	×	×	×	×	×	
	Juvenile Resource Guide	×	×		N/A	N/A	×	×	N/A	N/A	Document No Longer Being Circulated
	Los Angeles County Hotline For Victims Of Domestic Violence And Sexual Assault	×	×		×	×	×	×	×	×	
Jail Division	Complaint Forms	×			N/A	N/A	×	NA	NA	N/A	
	Complaint Forms	×	×		N/A	N/A	×	×	N/A	N/A	
	Crime Prevention	×	×		×	×	×	×	×	×	
	DUI Pamphlets	×	×		×	×	×	×	×	×	
	Fourth Of July Flyers	×	×		×	×	×	×	×	×	
	Handwritten Parking Ticket Form				×	×	×	×	×	×	
	Public Safety Flyers	×	×		×	×	×	×	×	×	
	Report Forms	×	×		×	×	×	×	×	×	
٠	Vehicle Impound Forms	×	×		×	×	×	×	×	×	
	Victim Resource Guides	×	×		×	×	×	×	×	×	
Engineering Bureau	Door hanger – Imminent Sidewalk/Street Work				×	×	×	×	×	×	
	Where to Recycle Used Oil (New HHW Collection Facility)	×			×	×	×	×	×	×	
Environmental Services Bureau	Litter Free Street Banners	×	×		N/A	N/A	×	×	N/A	N/A	Document No Longer Being Circulated
	"No Litter Zone" Packet (Litter Free LB Trifold Pamphlet and Litter Free LB Packet Inserts)	×	×		×	×	×	×	×	×	
	Special Collection for Residents (Used Motor Oil and Special Collections Flyer)	×			×	×	×	×	×	×	
	Tree-Cycling Flyer	×	×		×	×	×	×	×	×	
	Used Motor Oil Recycling Information (Same as Used Motor Oil and Special Collections Flyer)	×	×		N/A	N/A	×	×	N/A	N/A	Duplicate Entry- Same as 'Used Motor Oil and Special Collections Elver'
Public Service Bureau	Fireworks Official Notice Flyer	×	×		×	×	×	×	×	×	
			0	9 स्ट्राइट स्ट्राइट व	i.						
	Ouartedy Citowide Newsletter (sent with utility hill)	×	×		×	< ×	×	· ×	×	×	
	Stage 1 Water Prohibitions				×	×	×	×	×	×	
	Conservation Materials- Updated Schedule and Rebate				×	×	×	×	×	×	
	Landscape Program Application (L2G Program)				×	×	×	×	×	×	
	Notice Of Shutoffs (door hanger)				×	×	×	×	×	×	

	Frequently Called Numbers	
	Numbers with Auto Attendant	
od object days	Description	Number
1	Airport	570-2600
2	City Clerk	570-6101
3	City Manager's Office - Special Events & Filming	570-5333
4	City Prosecutor	570-5600
5	Civil Service	570-6202
6	Development Services - Building Permits - Inspections	570-6651
7	Development Services - Building Permits - Main Line	570-5237
8	Development Services - General Planning & Zoning	570-6194
9	Development Services - Main	570-5237
10	Financial Management - Business License	570-6211
11	Financial Management - Business License Call Center	570-6212
12	Financial Management - Commercial Services	570-5700
13	Financial Management - Commercial Services - Meter Services	570-5991
14	Financial Management - Purchasing	570-6361
15	Fire	570-2500
16	Gas & Oil - Emergency Services	570-2140
17	Health & Human Services - CRU Call Center	570-4315
18	Health & Human Services - Environmental Health	570-4132
19	Health & Human Services - Housing Authority	570-6985
20	Health & Human Services - Main	570-4000
21	Health & Human Services - Vital Records	570-4305
22	Health & Human Services - WIC	570-4242
23	Human Resources - Workforce Development - Youth Services	570-1425
24	Library Services - Central Information	570-7500
25	Library Services - City Hall Information Desk	570-6555
26	Parks Recreation & Marine - Animal Care Services	570-7387
27	Parks Recreation & Marine - Main	570-3100
28	Police	570-7260
29	Police Auto Stats	570-7486
30	Police Public Records	570-7485
31	Public Works - Graffiti Hotline	570-2773
32	Public Works - Public Service Yard	570-2700
33	Public Works - Refuse Collection	570-2870
34	Public Works - Towing	570-2828

	Frequently Called Numbers	
	Other "Main" Numbers	
1	City Attorney	570-2200
2	City Auditor	570-6751
3	City Manager's Office	570-6711
4	City Manager's Office - Citizen Police Complaint Commission	570-6891
5	City Treasurer	570-6845
6	Civil Service - Recruitment (Outdated Number)	570-7126
7	Council District 1	570-6919
8	Council District 2	570-6684
9	Council District 3	570-6300
10	Council District 4	570-6918
11	Council District 5	570-5555
12	Council District 6	570-6816
13	Council District 7	570-7777
14	Council District 8	570-6685
15	Council District 9	570-6137
16	Development Services - Planning Commission (Outdated Number)	570-6321
17	Development Services - Housing & Community Improvement	570-6615
18	Financial Management	570-6237
19	Financial Management - Parking Citations	570-6821
20	Financial Management - Parking Citations	570-6822
21	Human Resources - ADA	570-6304
22	Human Resources - Workforce Development Board	570-3650
23	Human Resources - Workforce Development Bureau	570-3654
24	Human Resources - Workforce Development Bureau - CTC	570-3797
25	Mayor's Office	570-6801
26	Parks Recreation & Marine - Marine - Alamitos Bay	570-3215
27	Parks Recreation & Marine - Marine - Downtown	570-4950
28	Police - Gang Hotline (Outdated Number)	570-7127
29	Public Works	570-6383
30	Public Works - Construction Management	570-6537
31	Public Works - Engineering	570-6383
32	Public Works - Environmental Services	570-2850
33	Public Works - Flood Zone	570-6784
34	Public Works - Inspections	570-5160
35	Public Works - Street Sweeping	570-2890
36	Public Works - Traffic & Transportation	570-6331