

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

RESOLUTION NO. RES-13-0071

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH ADOPTING A LANGUAGE ACCESS
POLICY

WHEREAS, the City Council wishes to establish a form of government that is truly inclusive of all its residents; and

WHEREAS, the City of Long Beach is committed to the delivery of effective, courteous and responsive services; and

WHEREAS, California Government Code Section 7290 *et seq.*, also known as the Dymally-Alatorre Bilingual Services Act, requires that every local public agency serving a substantial number of non-English speaking people, employ a sufficient number of qualified bilingual persons in point of contact positions; and

WHEREAS, the City Council finds and determines that the public safety, health, property, and general welfare will be furthered by the provisions of this Policy which establishes standards and procedures with respect to access to City programs and services by residents who are not fluent in English;

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

Section 1. The City Council of the City of Long Beach hereby adopts a Language Access Policy, a copy of which is attached hereto as Exhibit "A" and made a part hereof by this reference.

Section 2. 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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I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of August 13, 2013 by the following vote:

Ayes: Councilmembers: Lowenthal, Schipske, Andrews, Johnson,
Austin, Neal, O'Donnell.

Noes: Councilmembers: None.

Absent: Councilmembers: Garcia, DeLong.



City Clerk

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**City of Long Beach Language Access Policy
(\$357,023)**

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 is consistent with and supplements California's 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 residents, staff recommends that the LAP also be applied to the Cambodian population of Long Beach.

Definitions

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

- (a) "City" shall mean the City of Long Beach.
- (b) "Department" shall mean any City department as the City Manager may designate.
- (c) "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.
- (d) "Substantial Number of Limited English Speaking Persons" shall mean 5 percent (5%) or more Limited English Speaking Persons residing in the City who speak a shared language other than English.
- (e) "Bilingual Employee" shall mean a City employee who is proficient in the English language and a non-English language that is spoken by 5 percent (5%) or more Limited English Speaking Persons who reside in the City.
- (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) "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. **(\$55,000)**
- (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. **(\$58,794)**
 - (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. **(\$7,408)**
(The Long Beach Police Department provides posted notices in public areas of their facilities indicating interpretation is available.)

Public Meetings and Hearings (\$72,750)

- (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 (\$53,071)

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 (\$110,000)

The City Manager shall be responsible for monitoring and facilitating compliance with this Policy and updating City Council as such on a regular basis.

Best Efforts
(\$648,775)

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. **(\$585,312)**
- (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. **(\$53,829)**
- (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. **(\$9,634)**
- (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.)**



Date: December 12, 2011
To: Patrick H. West, City Manager
From: Amy J. Bodek, Director of Development Services
For: Honorable Mayor and Members of the City Council
Subject: Language Access Policy Update

On November 1, 2011, the City Council requested the City Manager work with the City Attorney, and with community partners that have expertise in the area of language access, to draft a citywide Language Access Policy (Policy) consistent with citywide standards, and report back to the City Council within 120 days.

We have preliminarily cataloged the current language access services available in the City:

- Language Access Services (Attachment A)
- Translated City Documents (Attachment B)
- Potential Phase I Implementation Strategies (Attachment C)

The next step toward drafting the Policy includes engaging the following stakeholders: Legal Aid Foundation of Los Angeles, the Long Beach Immigrant Rights Coalition, Housing Long Beach, Centro CHA, and United Cambodian Community. In the next 90 days, the stakeholders and the general public will be invited to a public information session and a focus group to prioritize the need for language access services.

The Policy will then be reviewed by the City Attorney to ensure compliance with citywide standards. Staff anticipates having the draft policy ready for Council review by the requested date. For further information, please contact Angela Reynolds, Deputy Director of Development at ext. 8-6369.

AR:MM:tc
TFF Language Access Policy

Attachments

cc: Suzanne Frick, Assistant City Manager
Reginald I. Harrison, Deputy City Manager
Angela Reynolds, Deputy Director of Development

| City Department | | | |
|-------------------------------------|---|--|---|
| Bureau | Bilingual Staff | Translated Documents* | Public Information** |
| | | Multiple Languages | Other** |
| | Khmer German Spanish Tagalog | | 1. Phone Assistance (K, S, Tagalog, German) 2. Walk-in Services (K, S, Tagalog, German) |
| | Total: 7 German: 1 Laotian: 1 Punjabi: 1 Spanish: 3 Thai: 1 | 1. Public Meeting Translation: Interpreters are available at depositions, if necessary 2. Public Meeting Translation: Available upon request made by noon the day before the City Council meeting (American Sign Language, Multiple Languages) 3. Interpretation Request: Printed on all Council agendas and voting materials 4. Translation Provided By: California court certified interpreters | 1. Phone Assistance 2. Walk-in Services: Including bilingual polling place workers during elections 3. Electronic Voting Devices: Voting for disabled voters (Korean, S, Tagalog, Vietnamese) |
| | Khmer German Spanish | Khmer Spanish | 1. Phone Assistance (K, German, S) 2. Walk-in Services (K, German, S) |
| Citizen Police Complaint Commission | Khmer German Spanish | Khmer Spanish | 1. Phone Assistance (K, German, S) 2. Walk-in Services (K, German, S) |
| | Total: 6 Spanish: 6 | 1. Public Meeting Translation: Available upon request made by noon the day before the City Council meeting (American Sign Language, Multiple Languages) 2. Interpretation Request: Printed on all Council agendas and voting materials 3. Translation Provided By: California court certified interpreters | 1. Phone Assistance (K, German, S) 2. Walk-in Services (K, German, S) |
| | Total: 4 Spanish: 4 | 1. Public Meeting Translation: Available upon request made by noon the day before the City Council meeting (American Sign Language, Multiple Languages) 2. Interpretation Request: Printed on all Council agendas and voting materials 3. Translation Provided By: California court certified interpreters | 1. Phone Assistance (K, German, S) 2. Walk-in Services (K, German, S) |
| | | Multiple Languages | Other** |
| | | 1. Public Meeting Translation: Interpreters are available at depositions, if necessary | 1. Phone Assistance (S) 2. Walk-in Services (S) |
| | | 1. Public Meeting Translation: Available upon request made by noon the day before the City Council meeting (American Sign Language, Multiple Languages) 2. Interpretation Request: Printed on all Council agendas and voting materials 3. Translation Provided By: California court certified interpreters | 1. Phone Assistance (S) 2. Walk-in Services (S) |
| | | 1. Public Meeting Translation: Available upon request made by noon the day before the City Council meeting (American Sign Language, Multiple Languages) 2. Interpretation Request: Printed on all Council agendas and voting materials 3. Translation Provided By: California court certified interpreters | 1. Phone Assistance (S) 2. Walk-in Services (S) |

* For complete list of translated documents see Attachment B
** (S) - Spanish (K) - Khmer

City of Long Beach
Language Access Services

Attachment A

| City Department | | | | |
|------------------------------|---|-----------------------|---|--|
| Bureau | Bilingual Staff | Translated Documents* | Public Information** Development Services | Other** |
| | Total: 54 Chinese: 4 French: 4 German: 1 Italian: 1 Japanese: 1 Korean: 1 Mandarin: 1 Persian: 1 Polish: 1 Russian: 1 Spanish: 31 Tagalog: 4 Thai: 1 Vietnamese: 2 | | | |
| Building Bureau | Total: 7 Chinese: 3 Spanish: 3 Vietnamese: 1 | | | 1. Phone Assistance (Chinese, S, Vietnamese) 2. Walk-in Service (Chinese, S, Vietnamese) |
| Neighborhood Services Bureau | Total: 43 Arabic: 1 Amharic Ethiopian: 1 Chinese: 1 French: 2 German: 1 Japanese: 1 Khmer: 1 Spanish: 30 Tagalog: 4 Vietnamese: 1 | Khmer Spanish | 1. Public Meeting Translation: Available at public meetings, workshops, trainings and hearings 2. Website: Posting of program information and applications, flyers and request for proposals 3. Translation Provided By: Department staff | 1. Phone Assistance (K, S) 2. Walk-in Services (K, S) 3. Community Outreach and Program Delivery 4. Wireless Translation Headsets 5. Language Programs: Raising a Reader early literacy program, English as a Second Language Class for adults and Khmer Classes |
| Financial Management | | | | |
| | Total: 11 Khmer: 1 Spanish: 10 | | | 1. Phone Assistance (K, S) 2. Walk-in Services (K, S) |

* For complete list of translated documents see Attachment B
 ** (S) - Spanish (K) - Khmer

City of Long Beach
Language Access Services

Attachment A

| Bureau | Bilingual Staff | Translated Documents* | Public Information** | Other** |
|---|---|-----------------------|---|--|
| City Department | | | | |
| Fire Department | | | | |
| | Total: 70 Khmer Korean French Portuguese Samoaan Spanish Tagalog | Multiple Languages | 1. Public Service Announcements: Translation of public service announcements (Multiple Languages) 2. Translation Provided By: Contract with service that provides translators in over 100 languages for emergency response | 1. Phone Assistance (K, Korean, French, Portuguese, Samoaan, S, Tagalog) 2. Walk-in Services (K, Korean, French, Portuguese, Samoaan, S, Tagalog) 3. Bilingual Staff Report: Daily reports of bilingual staff on duty 4. Front-line customer services for emergency response (K, Korean, French, Portuguese, Samoaan, S, Tagalog) |
| Harbor Department (Port of Long Beach) | | | | |
| | Total: 5 French: 1 Korean, Portuguese & Spanish: 1 Korean: 1 Spanish: 2 | Spanish | 1. Website: Port of Long Beach web pages are translated (Chinese, Japanese, Korean, S) 2. Videos: Pulse of the Port (S) | 1. Phone Assistance (French, Korean, Portuguese, S) 2. Walk-in Services (French, Korean, Portuguese, S) |
| Health and Human Services | | | | |
| | Total: 144 American Sign Language: 1 Cantonese: 1 Chamorro: 1 Chinese: 1 Farsi: 1 French: 7 Greek: 1 Gujerati: 1 Hebrew: 1 Hindi: 4 Hmong: 2 Khmer: 17 Lobi: 1 Korean: 2 Malayan: 1 Mandarin: 4 Portuguese: 1 Spanish: 72 Swedish: 2 Tagalog: 18 Thai: 2 Vietnamese: 3 | Khmer Spanish | 1. Public Meeting Translation: Miller Family Health Education Center has built-in wireless language interpretation capabilities for trainings and community meetings 2. Signage: Directional signage at main health facility (K, S) 3. Website: Documents posted (S) | 1. Phone Assistance (Multiple Languages) 2. Walk-in Services (Multiple Languages) 3. Community Outreach and Program Delivery (Multiple Languages) |

* For complete list of translated documents see Attachment B
 ** (S) - Spanish (K) - Khmer

City of Long Beach
Language Access Services

| Bureau | Bilingual Staff | Translated Documents* | Public Information** | Other** |
|-------------------------------------|---|-----------------------|--|--|
| City Department | | | | |
| Human Resources | | | | |
| Pacific Gateway | American Sign Language Khmer Spanish Tagalog | Spanish | | 1. Phone Assistance 2. Walk-in Services 3. Language Skills List: Maintains Language Skills of city employees 4. Bilingual Skills Pay: Manages Bilingual Skills Pay for city employees 1. Phone Assistance (American Sign Language, K, Tagalog, S) 2. Walk-in Services (American Sign Language, K, Tagalog, S) |
| Library Services | | | | |
| | Khmer Spanish | Multiple Languages | 1. Computer Resources: Online subscription databases include MANGO, English as a Second Language computer practice programs and <i>Informe</i> 2. Translation Provided By: Staff, Neighborhood Services Bureau and the Long Beach Unified School District | 1. Phone Assistance (K, S) 2. Walk-in Services (K, S) 3. Library Tours (K, S) 4. Bilingual Resources: Books, magazines and media (Arabic, Chinese, French, German, Greek, Hebrew, Italian, Japanese, Korean, Latin, Russian, S, Tagalog, Thai, Vietnamese) |
| Long Beach Airport | | | | |
| | Multiple Languages | | 1. Translation Provided By: Police Department as needed | 1. Phone Assistance 2. Walk-in Services 3. Bilingual Staff Report: Key staff maintain a list of bilingual staff |
| Long Beach Gas and Oil | | | | |
| Gas Services Bureau | Total: 13 Khmer: 1 Spanish: 11 Tagalog: 1 | Multiple Languages | 1. Signage: Postings of essential notices (Multiple Languages) | 1. Phone Assistance (S, K, Tagalog) 2. Walk-in Services (S, K, Tagalog) |
| Engineering and Construction Bureau | Total: 1 Spanish & Tagalog: 1 | Korean Spanish | 1. Signage: Posting signs for construction (Multiple Languages) | 1. Phone Assistance (S, Tagalog) 2. Walk-in Services (S, Tagalog) |
| Utility Call Center | Total: 10 Spanish: 10 | | | 1. Phone Assistance (S) 2. Walk-in Services (S) |
| Parks, Recreation and Marine | | | | |
| | | | 1. Public Meeting Translation: Available upon request for Parks and Recreation Commission meetings and public meetings 2. Translation Provided By: Department staff or other city staff | |

* For complete list of translated documents see Attachment B

** (S) - Spanish (K) - Khmer

City of Long Beach
Language Access Services

| City Department | | | | |
|--------------------------|--|-----------------------|--|---|
| Bureau | Bilingual Staff | Translated Documents* | Public Information** | Other** |
| Police Department | | | | |
| | Total: 277 | Multiple Languages | | <ol style="list-style-type: none"> 1. Phone Assistance 2. Walk-in Services 3. Bilingual Board: Chiefs Latino Advisory Board (S) |
| Communication Division | Total: 6 Spanish: 5 Khmer: 1 | | <ol style="list-style-type: none"> 1. Translation Provided By: Staff and Language Line Service | <ol style="list-style-type: none"> 1. Phone Assistance (K, S) 2. Walk-in Services (K, S) 3. Reverse 911 System (S) 4. Telecommunication Device for the Deaf |
| Patrol Bureau | Total: 152 | Khmer Spanish | <ol style="list-style-type: none"> 1. Public Meeting Translation: Available upon request, bilingual officers can attend community meetings 2. Translation Provided By: Staff and Language Line Service | <ol style="list-style-type: none"> 1. Phone Assistance 2. Walk-in Services 3. Recorded Messages: Pharsalator used by SWAT (K, S) |
| Jail Division | | Spanish | <ol style="list-style-type: none"> 1. Signage: Rules and procedures (S) 2. Translation Provided By: Staff and Language Line Service | <ol style="list-style-type: none"> 1. Phone Assistance 2. Walk-in Services 3. Bilingual Resources: Newspapers (S) |
| Investigations Bureau | French Khmer Laotian Spanish Tagalog Thai | Khmer Spanish | | <ol style="list-style-type: none"> 1. Phone Assistance (French, K, Laotian, S, Tagalog, Thai) 2. Walk-in Services (French, K, Laotian, S, Tagalog, Thai) |
| Front Desk Staff | Multiple Languages | Multiple Languages | <ol style="list-style-type: none"> 1. Translation Provided By: Staff and Language Line Service | <ol style="list-style-type: none"> 1. Phone Assistance (Multiple Languages) 2. Walk-in Services (Multiple Languages) |
| Gang Enforcement Section | French Khmer Laotian Spanish | | <ol style="list-style-type: none"> 1. Translation Provided By: Staff and Communication Center | <ol style="list-style-type: none"> 1. Phone Assistance (French, K, Laotian, S) 2. Walk-in Services (French, K, Laotian, S) |

* For complete list of translated documents see Attachment B

** (S) - Spanish (K) - Khmer

City of Long Beach
Language Access Services

Attachment A

| Bureau | Bilingual Staff | Translated Documents* | Public Information** | Other** |
|-------------------------------|--|-----------------------|--|---|
| City Department | | | | |
| Public Works | | | | |
| Engineering Bureau | Total: 7 Chinese: 1 Dutch: 1 Farsi: 1 Spanish: 3 Vietnamese: 1 | Spanish | 1. Signage: Pay station signs at City Place garages (S) | 1. Phone Assistance (Chinese, Dutch, Farsi, S, Vietnamese) 2. Walk-in Services (Chinese, Dutch, Farsi, S, Vietnamese) |
| Environmental Services Bureau | Total: 33 Spanish: 32 Tagalog: 1 | Khmer Spanish | 1. Website: List of items that can be recycled posted (S) 2. Signage: Plastic Bag Ban signs at stores (S) 3. Translation Provided By: Bilingual administrative staff available for translation of promotional materials and website (S, Tagalog) | 1. Phone Assistance (S, Tagalog) 2. Walk-in Services (S, Tagalog) |
| Fleet Services Bureau | Total: 8 Spanish: 8 | Spanish | 1. Website: "Spanish" tab indicating contact number for Spanish translation (S) | 1. Phone Assistance: Including bilingual telephone message 2. Walk-in Services (S) |
| Public Service Bureau | Total: 6 Samoan & Spanish: 1 Spanish: 4 Tagalog: 1 | Khmer Spanish | | 1. Phone Assistance (Samoan, S, Tagalog) 2. Walk-in Services (Samoan, S, Tagalog) |
| Technology Services | | | | |
| | | | 1. Public Meeting Translation: Audio Visual staff provides and supports translation equipment for Council and other community meetings 2. Website: Google Translate on selected City website pages 3. Bilingual Documents: Reprographics prints documents as requested | 1. Installation of fonts: Upon request, Desktop staff can install fonts in other languages |
| Water Department | | | | |
| | | Khmer Spanish | 1. Public Meeting Translation: Recordings of Prop 218 Hearing (S) | |

* For complete list of translated documents see Attachment B
** (S) - Spanish (K) - Khmer

**City of Long Beach
Translated Documents**

City Attorney

Multiple Languages

1. Nuisance Abatement Notices

City Clerk

Spanish, Khmer, Tagalog, Vietnamese and Korean documents, such as:

1. Checklist of Polling Place Materials
2. Official Voting Ballot
3. Precinct Materials
4. Sample Ballot Booklet
5. Voting Instructions

City Manager

Spanish and Khmer

1. Anti-Fireworks Materials
2. Facts At A Glance Brochure

Citizen Police Complaint Commission

Spanish and Khmer

1. Citizen Police Complaint Commission Brochure
2. Complaint Forms

Spanish

3. "What To Do When Stopped By The Police – Pedestrian Stops"
4. "What To Do When Stopped By The Police – Traffic Stops"

City Prosecutor

Spanish and Khmer

1. Truancy Letter

Spanish letters from the office and materials, such as:

2. Domestic Violence Materials

Development Services

Neighborhood Services Bureau

Spanish and Khmer

1. Center For Civic Mediation: Mediate Don't Litigate Brochure
2. Commercial Improvement Rebate Program Flyer
3. Commercial Improvement Rebate Program: Business Owner Application
4. Commercial Improvement Rebate Program: Property Owner Application
5. Façade Improvement Program Description
6. Fair Housing Foundation: What Is Fair Housing Brochure
7. Graffiti Removal Program Description
8. Guidelines For Tree Planting Projects

9. Home Security Lock Program Description
10. Maintaining Your Business Exterior: Information For Business Owners Booklet
11. Neighborhood Clean-Up Assistance Program: Your Guide To Organizing A Clean-Up
12. Neighborhood Leadership Program Booklet
13. Neighborhood Leadership Program Interest Card
14. Neighborhood Resource Center Information Flyer
15. Notice For Abandoned Shopping Carts Flyer
16. Protect Your Family From Lead In Your Home Booklet
17. Rehabilitation Housing Loans Program Brochure
18. "Spruce Up Your Home" Flyer
19. Tool Assistance Program Packet
20. Whose Job Is It Flyer

Spanish

21. Does Your Residential Property Have Any of These Common Code Violations Flyer
22. Graffiti Removal Program Application
23. Home Single Family Program Flyer
24. Maintaining Your Industrial Business: Information For Business and Property Owners
25. Neighborhood Problem Solving Flyer
26. Rehabilitation Loan Property Program Flyer
27. Request for Proposals: Neighborhood Partners Program Flyer
28. Request for Proposals: Neighborhood Partners Program Packet
29. Your Guide To Have Clean And Safe Neighborhoods In Long Beach

Khmer

30. Home Improvement Rebate Program
31. Home Security Lighting Rebate Program Packet
32. Neighborhood Clean-Up Assistance Program Application

Fire Department

Multiple Languages documents, such as:

1. Information On Smoke And Carbon Monoxide Alarms
2. 9-1-1 System Information

Harbor Department

Spanish documents, such as:

1. "Pulse Of The Port"
2. All Capital Improvement Projects (Factsheet)
3. Special Event Flyers
4. The Clean Trucks Program (Factsheet)

Health and Human Services

Spanish and Khmer documents, such as:

1. Infant Feeding During Emergencies Brochure

2. The Navigator: A Community Transportation Guide

Spanish document, such as:

1. Environmental Health Programs And Services Brochure
2. HIV Facts Brochure
3. Housing Inspection Program Brochure
4. Maternal and Child Health Access And Education Program Brochure
5. Medi-Cal Outreach Program Flyer
6. Public Health Nursing Services Flyer
7. Vector Control Brochure
8. Water Quality Program: Recreational Water Safety Brochure

Human Resources

Pacific Gateway

Spanish

1. Employment Services Brochures

Library Services

Spanish and Khmer all basic library flyers and promotional materials, such as:

1. General Information Brochures
2. Library Card Applications
3. Preschool Library Cards
4. Reading Lists

Spanish special program materials and flyers, such as:

5. Annual Summer Reading Programs

Long Beach Gas and Oil

13 Forms in Multiple Languages (5 include essential notices)(3 are printed in 5-7 languages as required by State law)

Spanish and Khmer

1. Annual Gas Safety Calendar

Spanish and Korean

2. Notice Of Intent To Replace Gas Facilities

Police Department

Multiple Languages Resource Forms, such as:

1. Community Watch Program Booklet

Patrol Bureau

Spanish and Khmer pamphlets, flyers and department forms, such as:

1. Complaint Forms
2. Crime Prevention
3. DUI Pamphlets
4. Fourth Of July Flyers
5. Public Safety Flyers
6. Report Forms

7. Vehicle Impound Forms
8. Victim Resource Guides

Jail Division

Spanish

1. Complaint Forms

Investigations Bureau

Spanish and Khmer produce and distribute pamphlets, flyers and department forms such as:

1. Compensation For Victims Of Violent Crimes
2. Juvenile Resource Guide
3. Los Angeles County Hotline For Victims Of Domestic Violence And Sexual Assault

Front Desk

Multiple Languages Resources

Public Works

Engineering Bureau

Spanish

1. Construction Notices

Environmental Services Bureau

Spanish and Khmer

1. "No Litter Zone" Packet
2. Litter Free Street Banners
3. Tree-Cycling Flyer
4. Used Motor Oil Recycling Information

Spanish

5. Bag Ban Flyers
6. Bag Ban Letters To Store Owners
7. Bag Ban Utility Billing Mailer
8. Community Clean-Up Flyer
9. E-waste/Tire Event Flyer
10. Household Hazardous Waste Event Flyer
11. Household Hazardous Waste Gaffey Street Flyer
12. Marketing Materials
13. "Stop Advertisements" Door and Fence Hanger
14. Special Pickup Information
15. Three Reasons to Recycle

Fleet Services Bureau

Spanish

1. Confiscation Of Vehicles For Driving Without A Valid Driver's License Brochure
2. Example Letter of Authorization
3. Impounded Vehicle Debt Collections Notice
4. Auction Information Flyer
5. Notification Of Debt Collection For Vehicle Towed
6. Notification Required To Release Vehicle Towed
7. Title Transfer Program Flyer

Public Service Bureau

Spanish and Khmer

1. Fireworks Official Notice Flyer

Spanish

2. Graffiti Abatement Program Flyer

Water Department

Spanish and Khmer documents, such as:

1. Notice Of Shutoffs

Law requires posting of water quality violation alerts in specified languages

**City of Long Beach
Potential Phase I Implementation Strategies**

- On the City's website, post existing translated documents/forms.
- Translation of frequently used forms such as complaint forms, requests, informational pamphlets and flyers in multiple languages. Provide translated documents online and in hard copy.
- Provide interpretation at city commission and city sponsored community meetings upon request.
- On City Council and commission meeting agendas and minutes, include a statement in English, Spanish and Khmer that information is available in an alternate languages upon request.
- Translate frequently used website pages in multiple languages.
- Provide public service announcements, press releases, community alerts and education campaign material in multiple languages.
- Continue and enhance current efforts to outreach to Multilanguage media outlets.
- Front desk staff to have a list of bilingual staff in their department and who to contact in the City for other languages not spoken in that department.
- Comply with recent laws that require notices, alerts and materials to be translated for consumers.

Language Access Coalition

Many Languages, One Community Voice

Exhibit B

July 24, 2012

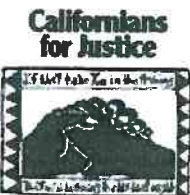
Tracy Colunga
City of Long Beach
100 West Broadway
Suite 550
Long Beach, CA 90802

Dear Ms. Colunga,

Thank you for the opportunity to provide comments regarding the City of Long Beach's Language Access Policy. These comments are submitted on behalf of the Long Beach Language Access Coalition, which includes the following community based organizations and their diverse clients and members: Long Beach Building Healthy Communities; Families in Good Health/EM3 (Educated Men with Meaningful Messages); Housing Long Beach; East Yard Communities for Environmental Justice; Californians for Justice; Legal Aid Foundation of Los Angeles; Long Beach Immigrants Rights Coalition; Aikona; and Khmer Girls in Action. These community based organizations have been working together for many months, conducting research and collecting input from diverse communities regarding language access. We are excited that Long Beach is engaging in a process to adopt a Language Access Policy to ensure that Long Beach's diverse residents have meaningful access to the City's programs, services, meetings and vital documents.

City governments are required by legal mandates to ensure that Limited English Proficiency ("LEP") residents are afforded meaningful access to city services if a municipality collects federal financial support directly or indirectly. Title VI of the Civil Rights Act of 1964 prohibits agencies that receive federal funds for programs or activities from discriminating against persons on the basis of race, color or national origin. Additionally, pursuant to Presidential Executive Order 13166, federally-funded agencies must take reasonable steps to ensure that LEP Persons have access to a recipient's programs and services. Finally, the Dymally-Alatorre Bilingual Services Act requires state and local agencies to ensure information and services are provided in the various languages of their constituents. This Act additionally requires the employment of sufficient qualified bilingual staff in public contact positions and translation of documents that explain services available in the languages of residents.

This comment letter includes three components. The first component includes specific policy and procedure recommendations for Long Beach's Policy. The second component includes insightful input collected from diverse community members at a community meeting held on June 27, 2012. The third component includes a copy of the City of Oakland's Language Access Policy. We are including a copy of Oakland's Policy because we strongly urge the City of Long Beach to model its Language Access Policy after Oakland's Policy, as the Oakland Policy is a model and successful Policy.



Policy Recommendations

1. Core Values

The following core values should be included in the preamble or introductory language to the City's Language Access Policy ("Policy").

- a. Access should be equal. Participation should be equal.
- b. Dignity is the right of everyone. The City should be respectful, compassionate and accountable towards the community members it serves.
- c. Actions and results are what count.
- d. The Policy should be based on the needs of LEP residents.

2. Guiding Principles

The following guiding principles should be included in the preamble or introductory language of the Policy.

- a. LEP residents shall not be denied timely access or services by the City. LEP residents shall not be denied timely participation in city sponsored meetings and activities.
- b. LEP residents shall receive appropriate and meaningful access and services; LEP residents shall have appropriate and meaningful participation in City sponsored meetings and activities.
- c. City staff shall collaborate and cooperate to provide quality access and assistance to LEP residents, as well as quality participation by LEP residents.
- d. Access and assistance for LEP residents shall be consistent throughout the City and all City departments. The ability of LEP residents to participate in City sponsored meetings and activities shall also be consistent throughout the City.
- e. It is the responsibility of the City, not the responsibility of LEP residents, to eliminate language access barriers for LEP residents.

3. Basic Procedures to Improve Language Access

This section highlights procedures that should be incorporated into the City's Policy to improve access for LEP walk-ins, callers, meeting attendees (at city sponsored meetings), vital document users and website users.

Primary Languages Spoken by Long Beach Residents

We have identified English, Spanish, Khmer, Tagalog and Vietnamese as the primary languages spoken by Long Beach residents. There are 231,643 English speakers in the City; 139,263 Spanish speakers; 15,520 Khmer speakers; 13,142 Tagalog speakers; and 4,670 Vietnamese speakers. Based on this data, the City should make interpretation and translation readily available for Spanish, Khmer and Tagalog speakers. However, there are also a significant number of Vietnamese speakers in the City, though the number does not reach the 10,000 person threshold utilized in the Oakland Policy. We recommend that further discussions take place regarding

language access for Vietnamese speakers and readers. Perhaps an intermediate standard can be set for Vietnamese speakers so that they are able to access City services, programs, meetings and vital documents upon reasonable request and notice.

Walk-ins, Callers and Bi-Lingual Staffing

- a. All lobby and reception areas must have large language posters hanging in clear view so that community members can identify which language they speak.
- b. All receptionists/public contact positions must have a list of proficient bi-lingual City staff.
- c. Bi-lingual City staff must assist LEP community members, even if it is in a different City department than the one in which they normally work.
- d. The City must hire an adequate number of bilingual staff proficient in the primary languages spoken by Long Beach residents.
- e. If staff is unable to effectively communicate with an LEP person (in person communication), staff must call Language Line (or a similar company), in a timely and meaningful manner, to communicate with the LEP person, irrespective of what language the LEP person speaks. In person initial contact communications are not limited to Spanish, Khmer, Tagalog and Vietnamese. Language Line must be utilized for initial in person contact communication.
- f. The City should enter into an ongoing service contract with Language Line (or a similar company) to provide language services, if it has not already done so, so that no one is turned away from in person or telephonic communication.
- g. If an LEP person calls the City, he/she shall be connected to a bi-lingual staff member for timely and meaningful assistance. If a bi-lingual staff member cannot be located in a timely manner, Language Line (or similar company) shall be utilized to communicate with the LEP community member. Telephonic initial contact communications should not be limited to Spanish, Khmer, Tagalog and Vietnamese. Language Line must be utilized if necessary for initial telephonic communication.
- h. Pre-recorded telephone messages shall be recorded in the primary languages spoken by Long Beach residents and updated as appropriate based on annual census data.

Use of Family Members as Interpreters

- i. The City shall strongly discourage the use of adult family members or friends to serve as interpreters. Family members and friends are typically not trained interpreters and may not be proficient in English or other languages spoken.
- j. The use of minor children to interpret shall be prohibited absent exceptional or emergency circumstances, which shall be documented in writing.

Translation of Vital Documents and Website

- k. All "vital documents" shall be translated into the primary languages spoken by Long Beach residents. (See Oakland definition, below, of "vital document".)

- l. City staff shall be trained re: how to work with interpreters, language resources and other issues pertaining to assisting LEP community members.
- m. The City's website must be translated into the primary languages spoken by Long Beach residents. Vital documents that have been translated shall be placed on the City's website as well.

Training

- n. Bi-lingual staff acting as interpreters or translators shall be trained re: appropriate techniques and ethics with respect to interpretation and translation.
- o. Bi-lingual staff acting as interpreters or translators shall be tested for quality control purposes.
- p. Current and future City staff shall be trained regularly re: the requirements of the City's Language Access Policy, to ensure that staff is aware of the requirements and protocols in the Policy.

City Sponsored Meetings

- q. Interpretation shall be provided at all City Council, City Commission, City board and City sponsored meetings if 24 hours advance notice is given.
- r. LEP speakers shall be given twice the amount of time to speak at meetings when testimony is timed. For example, at City Council meetings, LEP speakers shall be given six (6) minutes to speak in public comment, as opposed to the usual three (3) minutes.

Outreach, Coordination, Quality Control, Annual Review

- s. Widespread notice of the City's Language Access Policy shall be circulated, in the primary languages spoken by Long Beach residents, including notice on the City's website, so that community members are aware of their rights pursuant to the Policy.
- t. The City Manager shall appoint a senior staffer to act as the Language Access Coordinator, to coordinate, support and oversee all language access activities, as well as the monitoring and enforcement of the Policy.
- u. Once the Policy is in place, the City should hire testers to assess the City's compliance with the Policy. This will allow the City to assess and improve its performance.
- v. The City should collect input from community members and community groups on an ongoing basis to improve access, services and participation of LEP persons.
- w. The City must review the most recent census data on an annual basis to identify the primary languages spoken by Long Beach residents. This information shall be submitted to the City Council annually, in a staff report, as an agenda item on the Council's agenda.

4. Key Provisions from Oakland's Language Access Policy

Oakland's Language Access Policy should act as the basis for Long Beach's Policy because it includes an excellent framework and language necessary for a comprehensive Policy. (A copy

of Oakland's Policy is attached to these comments.) The Oakland Policy includes many useful definitions and best practices that should be included in Long Beach's Policy, including, but not limited to the following:

Definitions

- a. "Substantial Number of Limited English Speaking Persons Group(s)" is defined as "at least 10,000 limited English speaking City residents who speak a shared language other than English." The Oakland Policy also provides that this analysis shall be reviewed and updated annually, based on census data. (Sec. 2.30.020 (d))
- b. "Bilingual Employee" shall mean a City employee who is proficient in the English language and a language other than English that is spoken by not less than 10,000 Limited English Speaking Persons who are City residents. (Sec. 2.30.020 (b))
- c. "Public Contact Position" shall mean a position, whether of a 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. (Sec. 2.30.020 (g))
- d. "Sufficient Bi-Lingual Employees" shall mean the number of employees required to provide the same level of services to the public in each language spoken by the Substantial Number of Limited English Speaking Persons Group(s). (Sec. 2.30.020 (m))

Phase-In

- e. If the Language Access Policy is phased in, there shall only be two (2) Phases, with each Phase spanning just one year, for a total phase in of 2 years. Phase 1 would include Tier 1 Departments and would span one year. Phase 2 would include Tier 2 Departments and would span a second year. The Oakland Policy includes an excellent listing of which City departments should be included in Tier 1 and which departments should be included in Tier 2. Long Beach should add the City's Health Department to Oakland's Tier 1 Department list. (Sec. 2.30.020 (h), (i), (j), (k), (l))

Bi-lingual Staffing

- f. The City shall utilize sufficient bi-lingual employees in public contact positions to provide information and services to the public in each language spoken by the Substantial Number of Limited English Speaking Persons Groups. (Sec. 2.30.030 (a))
- g. The City will hire a sufficient number of bi-lingual employees in public contact positions so as to adequately serve members of the Substantial Number of Limited English Speaking Persons Groups. (Sec. 2.30.040)

Translation of Vital Documents, Interpretation at Meetings and Telephonic Messages

- h. City Departments shall translate written materials that provide vital information to the public about the department's services or programs into the languages spoken by the Substantial Number of Limited English Speaking Persons Groups , including: (Sec. 2.30.050)
 - i. Brochures and outreach materials;
 - ii. Applications or forms to participate in a Department's program or activity or to receive its benefits or services;
 - iii. 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;
 - iv. Written tests that do not assess English language competency, but test competency for a particular license or skill for which knowledge of written English is not required;
 - v. Notices advising limited English proficient persons of free language assistance;
 - vi. Materials explaining a Department's services or programs;
 - vii. Complaint forms; or
 - viii. 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.
- i. Oral interpretation of any public meeting or hearing held by a City commission or department shall be provided if requested at least 48 hours in advance of the meeting or hearing in question. (Sec. 2.30.070) (Note, the Long Beach Language Access Coalition recommends that Long Beach utilize 24 hours notice as adequate notice for requesting oral interpretation.)
- j. All City departments shall maintain recorded telephonic messages in each language spoken by the Substantial Number of Limited English Speaking Persons Group(s). The message shall contain basic information about the Department's operation including, at a minimum, business hours, location(s), services offered and the means of assessing such services, and the availability of language assistance. (Sec. 2.30.080)

Complaints, Compliance Plan and Outreach

- k. Departments shall allow persons to make complaints alleging violation of this Policy to the Department in each language spoken by the Substantial Number of Limited English Speaking Persons Group(s). The complaints may be made by telephone or by completing a written form. (Sec. 2.30.090)
- l. The City Manager shall submit to the City Council an annual compliance plan, which includes the following information: (Sec. 2.30.100)
 - i. The number and languages of the Limited English Speaking Groups;

- ii. The number of public contact positions in each department covered by this Policy, listed by job title;
 - iii. The number of bi-lingual employees in public contact positions, their titles, office locations and the languages other than English that the person speaks;
 - iv. A numerical assessment of the additional bi-lingual employees in public contact positions needed to meet the requirements of this Policy and a plan for filling those positions;.
 - v. A narrative assessment of the procedures used to facilitate communication with the Substantial Number of Limited English Speaking Persons Group(s), which shall include an assessment of the adequacy of the procedures;
 - vi. A list of each Department's written materials required to be translated pursuant to the Language Access Policy, the languages into which they have been translated, and the persons who have reviewed the translated material for review of accuracy and appropriateness;
 - vii. A description of each Department's procedures for accepting and resolving complaints of an alleged violation of this Policy.
- m. The City Manager shall submit to the City Council a strategy to conduct outreach to members of the Substantial Number of Limited English Speaking Persons Group(s) about their rights under this Policy. (Sec. 2.30.130 (b))

Thank you for your consideration of our comments. We look forward to working with the City on the creation of its Language Access Policy. Please send all correspondence regarding these comments to:

Susanne Browne, Senior Attorney
 Legal Aid Foundation of Los Angeles
 601 Pacific Avenue
 Long Beach, CA 90802
 (562) 304-2520
sbrowne@lafla.org

CC: Mayor Bob Foster
 Vice Mayor Robert Garcia
 Council Member Suja Lowenthal
 Council Member Gary DeLong
 Council Member Patrick O'Donnell
 Council Member Gerrie Schipske
 Council Member Dee Andrews
 Council Member James Johnson
 Council Member Al Austin
 Council Member Steven Neal
 Suzanne Frick, City Manager's Office
 Angela Reynolds, Deputy Director, Development Services
 Margaret Madden, Neighborhood Services Bureau

**Many Languages, One Voice:
A Community Forum
Hosted by the Long Beach Language Access Coalition**

Event Summary¹

Introduction

On June 27, 2012, the Long Beach Language Access Coalition hosted a community forum titled, Many Languages, ONE Voice (held at The Friends Church of Long Beach). The purpose of this event was to gather information from Long Beach community members about language use and their experiences related to language access to city-based services and information. The community forum was attended by nearly 150 individuals representing numerous racial/ethnic groups including White, African-American, Cambodian, Samoan, and Mexican, to name a few. Individuals in attendance represented community-based organizations and churches throughout Long Beach including Californians for Justice, Families in Good Health/EM3 (Educated Men with Meaningful Messages), the Filipino Migrant Center, Long Beach Building Healthy Communities, Housing Long Beach, the Long Beach Coalition for Good Jobs and a Healthy Community, the Legal Aid Foundation of Los Angeles, GCN, East Yard Communities for Environmental Justice, the Long Beach Immigrant Rights Coalition, the Unitarian Universalist Church of Long Beach, Friends Church of Long Beach, First Congregational Church of Long Beach and others.

Individuals in attendance participated in small group discussions focusing on questions about accessing city services, the effectiveness of translations/interpretation services, and language access strategies. Finally, participants were asked to fill out a brief questionnaire indicating their racial/ethnic background, primary language, and degree of English language ability. Participants also identified what they felt were the most important city services that should be prioritized for systematic translation/interpretation services.

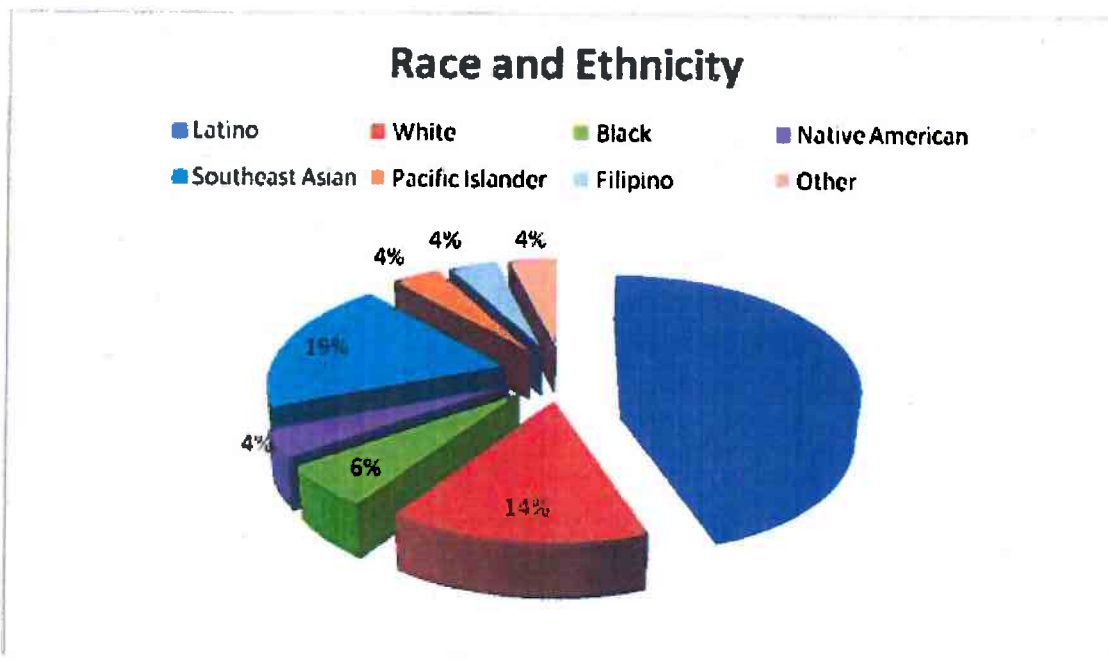
The Participants

Race/ethnicity:

There were 103 individuals who participated in group discussions representing various racial/ethnic groups. Latinos (including Chicanos, Mexicans, Salvadorans, Guatemalans, Nicaraguan, and Ecuadorian) represented 46% of those in attendance; Southeast Asians (including Laotian, Cambodian, and Vietnamese) 19%; Whites 15%; and Black, 6%. Other

¹ Data compiled and report authored by the Long Beach Immigrant Rights Coalition.

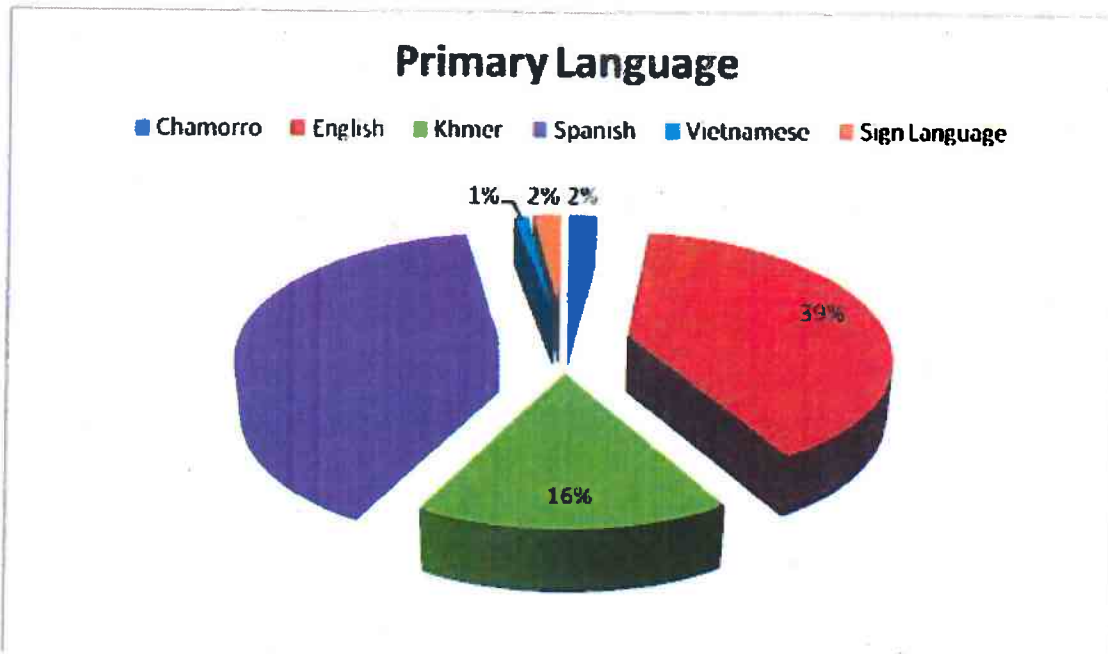
groups represented included Native Americans (4%), Pacific Islanders (including Samoan and Chamorro) (4%) and Filipinos (4%) (see graph below).



Primary Language:

Forty percent of participants identified Spanish as their primary language, 40% English and 16% Khmer. Other languages identified as primary languages included Chamorro (2%), Vietnamese (1%), and American Sign Language (2%) (see chart and graph below).

| Primary Language | Total % |
|--------------------|-------------|
| Chamorro | 2% |
| English | 40% |
| Khmer | 16% |
| Spanish | 40% |
| Vietnamese | 1% |
| Sign Language | 2% |
| Grand Total | 101% |



Age:

Finally, the forum included community members of all ages ranging from those in their teens to adults in their 70s (see chart below):

| Age of Participants | Total % |
|---------------------|------------|
| Less than 18 | 6% |
| 18-29 | 20% |
| 30-39 | 10% |
| 40-49 | 18% |
| 50-59 | 17% |
| 60-69 | 24% |
| 70+ | 4% |
| Grand Total | 99% |

Perceptions of Long Beach

Community forum participants described Long Beach in a number of **positive** ways. Many noted that they appreciate the diversity that characterizes Long Beach and described Long Beach as “beautiful”, “friendly”, “unique”, “accessible” and “real”. Participants, however, also experience

Long Beach as a city of contradictions. While participants noted the rich cultural diversity and “friendliness” of the city, they also shared examples of social inequality and experiences of discrimination. While Long Beach was described as “united”, for example, it was also described as a place that lacks a strong “community voice”. Particular neighborhoods were identified as “unsafe”, subject to greater “pollution” and as “invisible” to city officials. Individuals also noted that they had experienced discrimination by the police because of their race/ethnicity and/or *language abilities*. It is of little surprise then that residents identified a number of changes that they would like to see in Long Beach including greater investment in disenfranchised neighborhoods, youth and after-school programs, the development of more community spaces, more responsive and communicative city officials, an increase in affordable housing, and greater economic opportunities for city residents.

Language Access in Long Beach

Participants shared examples of limited or an absence of language access in city services. The lack of such access resulted in residents feeling disenfranchised, “powerlessness”, and “alienated” from the city in general and their local neighborhoods. One participant, for example, noted that the lack of language access services in city related processes made him/her feel “excluded” from city governance. Another agreed, saying that language barriers contribute to a lack of community “representation” in city affairs.

But more importantly, the lack of language access has significant impacts on the daily lives of individuals, their families and the community at large. Many shared experiences of how limited or a lack of language access affects *individual and community safety*. One respondent, for example, shared the experience of calling on the phone for police help, only to be hung up on by the operator because they did not speak English. Another respondent who attempted to file a report about a robbery faced refusal from the police because he/she could not communicate in English. Another shared the example of how police were unable to search for a missing child (who was later found dead) because the police could not communicate with the child’s parents. Further, residents reported that even when efforts are made to provide translation/interpretation services, they are often ineffective and/or inefficient. Such was the case for one respondent who told of calling the police to report an in-progress crime, only to be put on hold for 15 minutes while attempts were made to find a translator. Another woman, despite a language barrier with the police, was able to file report about the possible abuse of her daughter at her pre-school. The police informed her that there would be an investigation into the case. Not only was she never again contacted by the police, but when she called the police (numerous times) to inquire about the status of the case, no one was available to speak to her in her native Spanish. As a result, the mother never did learn the results of the investigation and continued to have concerns about the safety of her child. On a related note, some felt that the police were “abusive” and took

advantage of those who did not speak English. And that limited or the lack of English language skills, in and of itself, was the basis for racial profiling and police discrimination.

Community members shared other examples of language access as related to *public health and safety*. One participant, for example, told the story of calling the gas company to report a leak, only to be ignored because he/she could not clearly communicate in English and no translation/interpretation services were available. Another participant told of her experience in attempting to get her gas services established. The lack of language access services through which she could communicate her request resulted in her and her children “making do” with no heat throughout the winter months. There was also the example of a woman who was unable to take advantage of a special program for discounted utility services (for which she qualified because two household members were disabled) because no language access services were available through which she could process her request. It is such experiences that resulted in community members feeling, in their words, “unsafe”, “scared”, “nervous” and “angry”.

On a more general level, participants shared experiences whereby they felt “insensitivity” from city employees when trying to communicate across languages. One also noted that a simple 5-10 minute task of completing a city-related form can easily turn into a two (or more) day project when documents are not available in the appropriate language. When one arrives at city hall (or another city agency) to fill out a form and finds it available only in English (and no translation services are available), for example, they typically have to take the form home, find a translator, and return the form to the appropriate office on another day. In other words, the seemingly simplest of tasks can become uncertain, unnecessarily complicated and uncertain when language access is not available.

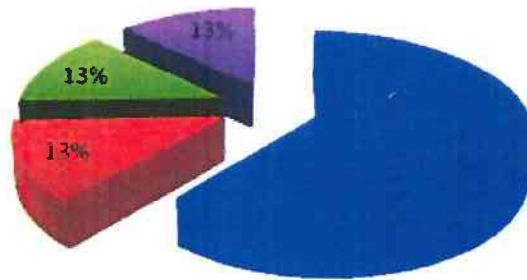
Finally, while some participants agreed that - while the city may be making some efforts to bridge language barriers - these are only “token” efforts with little far-reaching impact.

City Services

Community forum participants were asked to identify - what they felt - were the most important services for the City to provide *immediate* language access. The top three services identified were first and foremost, public safety services, followed by utility services, emergency services and housing services. Sixty-one percent of participants identified *public safety services* as their leading concern regarding language access. Thirteen percent of participants identified emergency services, 13% utility services and 13% housing services as some of the most important venues within which to provide language access (see graph and chart below). Participants also identified other city services in need of translation/interpretation resources including libraries, neighborhood services, transportation, parks and recreation, pet/animal services and city council and commission meetings.

Top Language Access Services Required

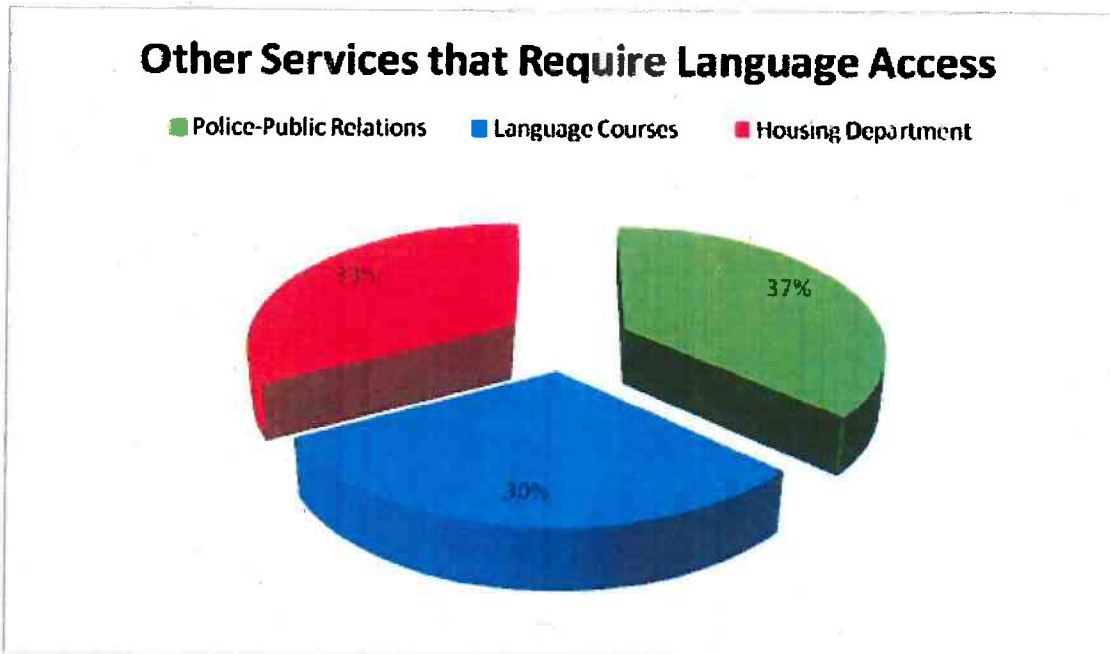
■ Public Safety ■ Utility Service ■ Emergency Service ■ Housing Service



| City Service | Total/Percentage |
|-------------------|------------------|
| Public Safety | 180/61% |
| Utility Service | 37/13% |
| Emergency Service | 39/13% |
| Housing Service | 37/13% |
| Total | 293/100% |

Other Services

Finally, participants were asked to identify additional services (not specifically listed in the questionnaire) that they felt were important to provide language access (see graph below). Thirty-seven percent of participants listed police-public relations as an essential site to provide language access resources. Thirty-three percent noted that housing related services and 30% of participants prioritized the importance of providing more language courses to local community members. Medical and school settings were also identified as places in need of language access services, as were services related to the establishment and running of private businesses and career development programs/resources. Clearly, in all of these areas, the City can play an important role in ensuring language access.



Residents Attempting to “Manage” Language Barriers

So how, when faced with limited language access, do Long Beach residents manage their daily lives?

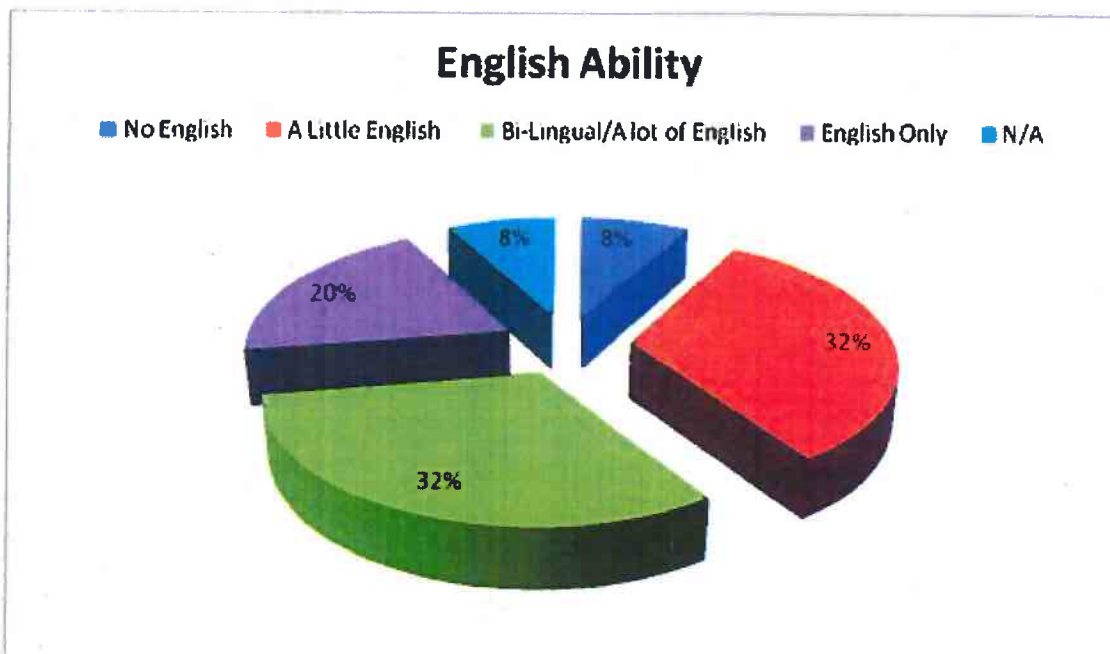
Community participants reported overwhelmingly that they relied on family members (especially children), neighbors, or friends to help translate. It cannot be assumed, however, that individuals have access to such resources, or that these resources are appropriate or always effective. As one participant reminded us, “some of us are alone without family” and it is difficult to find *trusted* people to help with translation. Even if individuals do have trusted personal resources upon which they rely, such resources are not always readily or easily mobilized (such as in the case of emergency situations, during regular city business 9-5 business hours, etc.). Individuals may also have to rely on others who are themselves not fully proficient in English. Finally, it is often inappropriate (or uncomfortable) to bring a child/friend/neighbor as translators (e.g., health/safety related issues, confidential/sensitive issues, etc.). One participant shared the example of having to rely on a child to translate for a case of sexual abuse.

Finally, what became evident from our discussions was that people – when faced with limited language access – do try to communicate. Some participants, however, reported that their attempts to do so were often met with “intolerance” or “impatience” on the part of city workers or community members. Participants reported that such experiences can feel “embarrassing” and “shameful” and leave one feeling that they should not “speak up”. One participant told of how – because of her limited language ability – she would often chose to not speak in an effort to “save

face”. In fact, some did report that when they knew that language access was not available that they would simply avoid or “give up” on a situation (i.e. not report, not fill out a form, not ask questions, not access city services). And as one woman shared, it is “depressing when one cannot find help”.

Limited English Language Ability

Perhaps one of the most important findings to come out of the community forum is that language access services are essential for community members across the English language ability spectrum. In other words, it is not just non-English speakers that need/benefit from access to translation/interpretation services. In fact, almost one-third of our participants were bi-lingual or spoke “a lot of English” (32%). Another one-third of participants spoke “a little English” and only 8% of participants reported that they spoke no English (see chart and graph below).



| English Ability | Total |
|-----------------------------|-------------|
| No English | 8% |
| A Little English | 33% |
| Bi-Lingual/A lot of English | 32% |
| English Only | 20% |
| N/A | 8% |
| Total | 100% |

Participants shared stories, however, illustrating that it is often assumed, because they have some English language skills, that translation/interpretation services and resources are not necessary. But even for those who have honed their English language skills, particular vocabulary (especially those not used in the everyday) may be unfamiliar and/or difficult to understand (e.g., legal, health related, etc.). Similarly, in situations that are immediate or emotion laden one may communicate more clearly and comfortably in their native tongue (e.g., emergency situations, etc.).

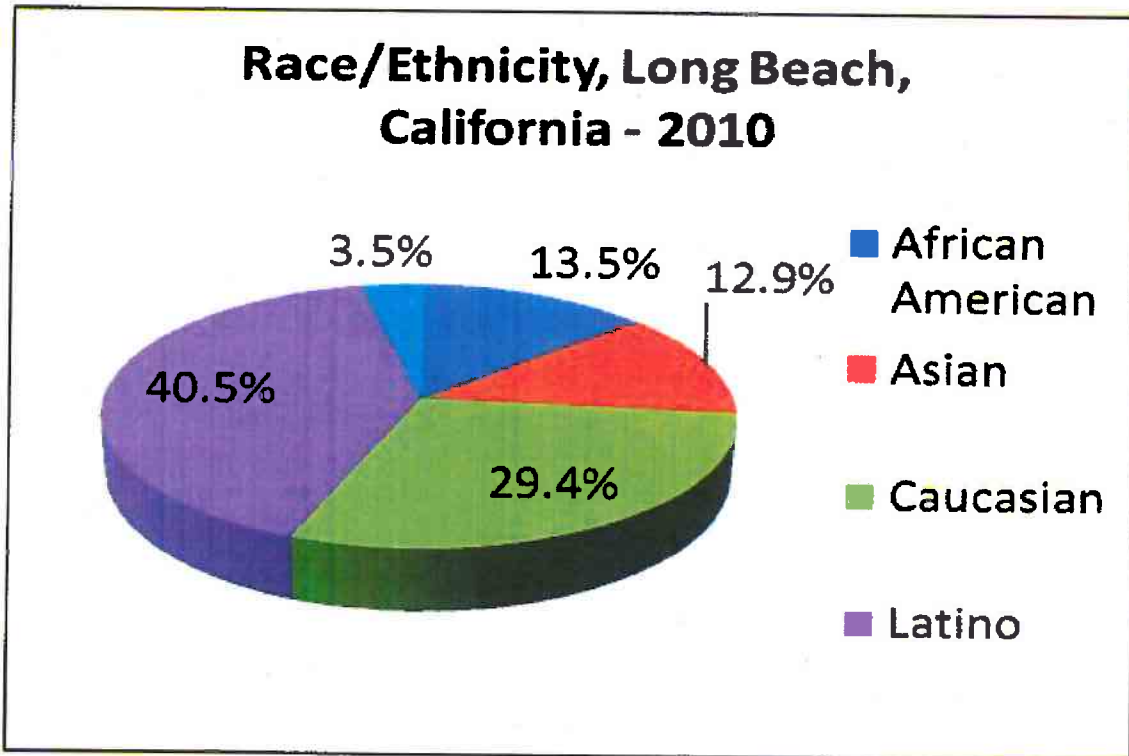
Language Access and Community Cohesion

A final issue that was discussed by participants is related to challenges to community formation in light of the linguistic diversity and language access. The sentiment of these comments is best summarized by one participant who said "we can't...build a community if we can't speak to each other". Others gave examples about how difficult it is to get to know ones neighbors in light of linguistic differences. One shared a story about how she would like to invite a neighbor to her home for dinner in an effort to get to know her, but does not do so because of their limited ability to communicate with each other. Another told the story of how her neighbor who, after the death of her young son, was trying to share her loss. "She was there talking to me and pointing at a picture of her son. But I didn't understand what she was trying to tell me." It was not until much later that she found out what her neighbor was trying to share -- to understand how her neighbor was trying to connect with her on a basic human level. She felt "awful" that she was not able to respond to her neighbor's pain. Another participant noted how difficult it is to live in the same building with many different people, but not be able to communicate with them.

Conclusions

Long Beach is a racially/ethnically *and linguistically* diverse city (see chart and graphs in Appendix). The experiences shared at the Many Languages, ONE Voice community forum sponsored by the Long Beach Language Access Coalition clearly suggest that there is a need for greater language access to city and non-city based services. The guarantee of language access is beneficial not simply to particular individuals and their families, but to the safety and health of individuals and communities throughout our City. Furthermore, the assurance of language access to decision making processes and policies ensures an inclusive and healthy democracy from which we all benefit.

APPENDIX



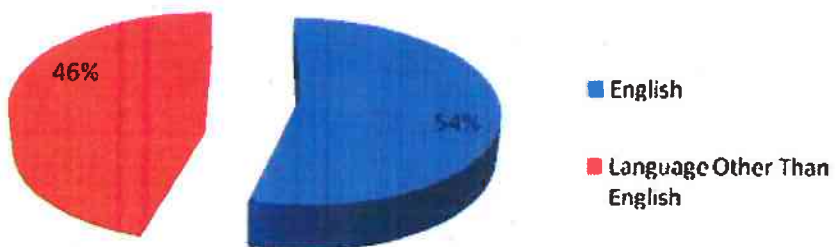
* Source: Long Beach Community Database, U.S. Census of 2010

**Language Spoken at Home for Population 5 Years and Older,
Long Beach, California, 2008-2010**

| Language Spoken at Home | Number | % |
|--------------------------------|----------------|-------------|
| English | 231,643 | 54.1 |
| Spanish | 139,263 | 32.6 |
| Khmer | 15,520 | 3.6 |
| Tagalog | 13,142 | 3.1 |
| Asian Languages | 12,342 | 2.9 |
| Vietnamese | 4,670 | |
| Chinese | 2,569 | |
| Japanese | 1,501 | |
| Korean | 1,180 | |
| Thai | 1,007 | |
| Laotian | 646 | |
| Other Asian | 769 | |
| Other Languages | 15,913 | 3.7 |
| West Germanic | 4,233 | |
| Other Pacific Islander | 3,623 | |
| Indic Languages | 2,848 | |
| Slavic Languages | 1,368 | |
| Arabic | 1,335 | |
| African Languages | 982 | |
| Other Languages | 1,524 | |
| TOTAL | 427,823 | 100% |

Source: American Fact Finder, U.S. Census Bureau, 2008-2010,
American Community Survey 3-Year Estimates.

Languages Spoken at Home, Long Beach, California, 2008-2010



Source: American Fact Finder, U.S. Census Bureau, 2008-2010, American Community
Survey 3-Year Estimates

FILED
OFFICE OF THE CITY CLERK
OAKLAND

REVISED
4-26-01

OAKLAND CITY COUNCIL

ORDINANCE NO. 12324 C.M.S.

INTRODUCED BY COUNCILMEMBER DE LA FUENTE AND WAN

EQUAL ACCESS TO SERVICES

AN ORDINANCE ESTABLISHING EQUAL ACCESS TO CITY SERVICES AND PROGRAMS BY REQUIRING CITY DEPARTMENTS TO OFFER BILINGUAL SERVICES AND MATERIALS IF A SUBSTANTIAL PORTION OF THE PUBLIC UTILIZING CITY SERVICES DOES NOT SPEAK ENGLISH EFFECTIVELY BECAUSE IT IS NOT THEIR PRIMARY LANGUAGE

WHEREAS, the City Council wishes to establish a form of government that is truly inclusive of all its residents, and

WHEREAS, the City of Oakland is committed to the delivery of effective, courteous and responsive services, and

WHEREAS, California Government Code Section 7290, also known as the Dymally-Altorre Bilingual Services Act, requires that every local public agency serving a substantial number of non-English speaking people, employ a sufficient number of qualified bilingual persons in public contact positions, and

WHEREAS, the City Council finds and determines that the public safety, health, convenience, comfort, property, and general welfare will be furthered by the provisions of this Ordinance which establishes standards and procedures with respect to access to City programs and services by residents who are not fluent in English, now therefore,

THE CITY COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

Section 1. Findings and Purpose. The Oakland City Council hereby finds and declares that substantial numbers of persons who live, work, and pay taxes in Oakland are unable to communicate effectively in English because their primary language is not English. It is of paramount importance that all residents regardless of their proficiency in English have access to City programs and services. This Ordinance establishes standards and procedures for providing equal access to city services and programs to all Oaklanders, including those with limited proficiency in English. This Ordinance is consistent with and supplements California's Dymally-Alatorre Bilingual Services Act, Government Code 7290 et seq., which 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.

Section 2. Chapter 2.30 "Equal Access to Services" is added to the Oakland Municipal Code to read as follows:

CHAPTER 2.30

EQUAL ACCESS TO SERVICES

- Sec 2.30.010 Title
- Sec 2.30.020 Definitions
- Sec 2.30.030 Equal Access to Services
- Sec 2.30.040 Bilingual Staffing
- Sec 2.30.050 Translation of Materials
- Sec 2.30.060 Dissemination of Translated Materials from the State and Federal Government
- Sec 2.30.070 Public Meetings and Hearings
- Sec 2.30.080 Recorded Telephonic Messages
- Sec 2.30.090 Complaint Procedures
- Sec 2.30.100 Compliance Plans
- Sec 2.30.120 Recruitment
- Sec 2.30.130 Monitoring and Structure
- Sec 2.30.140 Rules and Regulations
- Sec 2.30.150 Enforcement
- Sec 2.30.160 Severability

SEC. 2.30.010 TITLE. This chapter shall be known as the "Equal Access to Services Ordinance".

SEC. 2.30.020 Definitions. As used in this Chapter, the following capitalized terms shall have the following meanings:

- (a) "Agency" shall mean any of the following: Community and Economic Development Agency, Financial Services Agency, Fire Services Agency, Life Enrichment Agency, Police Services Agency, Public Works Agency, Office of Retirement and Risk Assessment, Office of Personnel Resource Management, Office of Information Technology, Office of Arts and Cultural Affairs, Office of the City Attorney, Office of the City Auditor, Office of the City Clerk, Office of the City Council, Office of the City Manager, Office of the Mayor, Port of Oakland and such other agencies as the City Manager may designate.
- (b) "Bilingual Employee" shall mean a City employee who is proficient in the English language and a language other than English that is spoken by not less than 10,000 Limited English Speaking Persons who are Oakland residents.
- (c) "City" shall mean the City of Oakland.
- (d) "Substantial Number of Limited English Speaking Persons Group" or "Group" shall mean at least 10,000 limited English speaking City residents who speak a shared language other than English. The City Planning Department shall determine annually whether at least 10,000 limited English speaking City residents speak a shared language other than English by referring to the best available data from the United States Census

Bureau or another reliable source and shall certify its determination to the City Manager no later than December 1 of each year.

- (e) "Departments" shall mean both Tier 1 Departments and Tier 2 Departments."
- (f) "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.
- (g) "Public Contact Position" shall mean a position, whether of a 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.
- (h) "Phase 1" shall mean during Fiscal Year 2001-2002
- (j) "Phase 2" shall mean during Fiscal Year 2002-2003
- (k) "Tier 1 Departments" shall mean the following City Departments, Divisions, or Agencies: Office of the City Attorney-Claims Division; Office of the City Clerk; City Council Reception Desk; Mayor's Office Reception Desk; Oaklanders Assistance Center; Office of Personnel Resources Management; Inspection Services/Code Enforcement (Blight Abatement); Building Permit Processing; Zoning Counter; One Stop Capital Shop; Residential Lending; Rent Arbitration; Neighborhood Commercial Revitalization; Parking Citation; Business License/Tax; Fire Services-Inspections Unit; Fire Services-911 Dispatch; Firehouses; Life Enrichment Agency-Administrative Office; Recreation Centers; Senior Centers; Head Start; Library Services; Police Services-Internal Affairs; Police Beats; Abandoned Car Removal; Neighborhood Services Coordinators; Community Policing; Police Services-911 Dispatch; Police Services-Records Division; Police Services-Patrol Desk; Police Services-Traffic Division; Animal Control; Public Works Agency-Administration; Illegal Dumping Hotline; Garbage Services; Street Lighting Repair; Street Sweeping; Traffic Engineering. and such other departments as the City Manager may designate.
- (l) "Tier 2 Departments" shall mean all City Agencies, Departments, or Divisions not specified as Tier 1 Departments that furnish information or provide services to the public and consist of at least 15 full-time City employees.
- (m) "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.

SEC. 2.30.030 Equal Access to Services.

(a) Utilizing sufficient Bilingual Employees in Public Contact Positions, Departments shall provide information and services to the public in each language spoken by the Substantial Number of Limited English Speaking Persons Group(s). Departments comply with their obligations under this Section if they provide the same level of service to members of the Substantial Number of Limited English Speaking Persons Group(s) as they provide English speakers.

(b) Nothing herein shall be construed to authorize or require the termination, demotion, or transfer of any City of Oakland employee in order to carry out this Ordinance.

(c) This article shall be interpreted and applied so as to be consistent with Title VII of the Civil Rights Act of 1964, California's Fair Employment and Housing Act, Americans with Disabilities Act, and any article of the City of Oakland's Charter and so as not to impede or impair the City's obligations to comply with any court order or consent decree.

SEC. 2.30.040 Bilingual Staffing.

(a) During Phase I, Tier 1 Departments will hire a sufficient number of Bilingual Employees in Public Contact Positions so as to adequately serve members of the Substantial Number of Limited English Speaking Persons Group(s) in the City of Oakland. The City Manager will determine the adequacy of service to members of the Group(s) upon review of each Department's compliance plan.

(b) Senior Centers, Recreation Centers and Neighborhood Services Coordinator positions located in areas with a significant concentration of a Substantial Number of Limited English Speaking Persons Group(s) shall be staffed by a sufficient number of Bilingual Employees.

(c) Firehouses and Police Beats located in areas with a significant concentration of a Substantial Number of Limited English Speaking Persons Group(s) shall be staffed by a sufficient number of Bilingual officers and firefighters.

(c) During Phase II, Tier 2 Departments will hire a sufficient number of bilingual employees in Public Contact Positions so as to adequately serve members of the Substantial Number of Limited English Speaking Persons Group(s) in the City of Oakland. The City Manager will determine the adequacy of service to members of the Group(s) upon review of each Department's compliance plan.

(d) Upon passage of this Ordinance, all new hires for vacant Public Contact Positions in Tier One or Tier Two shall be reviewed and approved by the City Manager until a compliance plan is submitted to and approved by the City Council. The plan will be presented to the Finance and Management Committee of the City Council, or such other committee as the Council may hereafter designate, before it is forwarded to the full City Council for approval.

(e) Notwithstanding any other provision hereof, in carrying out this Ordinance, Sufficient Bilingual Employees will be hired in accordance with Compliance Plans and meet and confer obligations into current and future vacancies for Public Contact Positions.

(f) The City will comply with any meet and confer obligations with unions representing City employees.

SEC. 2.30.050 Translation of Materials.

(a) The City Manager shall establish an in house translation service with court certified or American Translators Association accredited translators for the purpose of translating written materials for city departments and providing translations for public meetings as needed or professional services may be contracted out to an accredited translation contractor.

(b) Tier 1 Departments shall translate the following written materials that provide vital information to the public about the Department's services or programs into the language(s) spoken by the Substantial Number of Limited English Speaking Persons Group(s):

- (1) written materials disseminated to the public including, but not limited to, brochures, outreach materials and;
- (2) applications or forms to participate in a Department's program or activity or to receive its benefits or services;
- (3) 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;
- (4) written tests that do not assess English language competency, but test competency for a particular license or skill for which knowledge of written English is not required;
- (5) notices advising limited English-proficient persons of free language assistance;

- (6) materials explaining a Department's services or programs
 - (7) complaint forms; or
 - (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.
- (c) Tier 2 Departments shall translate all publicly posted documents that provide information (1) regarding Department services or programs, or (2) affecting a person's rights to, determination of eligibility of, award of, denial of, loss of, or decreases in benefits or services into language(s) spoken by the Substantial Number of Limited English Speaking Persons Group(s).
- (d) Departments required to translate materials under the provisions of this Section shall post notices in the public areas of their facilities in the languages of the Substantial Number of Limited English Speaking Persons Group(s) indicating that written materials in the languages, and staff who speak the languages, are available. The notices shall be posted prominently and shall be readily visible to the public.
- (e) Departments required to translate materials under the provisions of this Section shall ensure that their translations are made by a certified translator and that materials are accurate and appropriate for the target audience. Translations should match literacy levels of the target audience. Departments are encouraged to solicit feedback on the accuracy and appropriateness of translations from bilingual staff at community groups whose clients receive services from the Department.
- (f) Departments shall comply with the requirements of this Section within 180 days of the enactment of this Article.

SEC. 2.30.060 Dissemination of Translated Materials from State and Federal Government. If the State or Federal government or any agency thereof makes available to a Department written materials in a language other than English, the Department shall maintain an adequate stock of the translated materials and shall make them readily available to persons who use the Department's Services.

SEC. 2.30.070 Public Meetings and Hearings.

- (a) City Commissions and Departments shall not be required to translate meeting notices, agendas, or minutes.
- (b) Oral interpretation of any public meeting or hearing held by a City commission or Department shall be provided if requested at least 48 hours in advance of the meeting or hearing in question.

SEC. 2.30.080 Recorded Telephonic Messages.

All Departments shall maintain recorded telephonic messages in each language spoken by the Substantial Number of Limited English Speaking Persons Group(s). The message shall contain basic information about the Department's operation including, at a minimum, business hours, location(s), services offered and the means of accessing such services, and the availability of language assistance.

SEC. 2.30.090 Complaint Procedures.

(a) Departments shall allow persons to make complaints alleging violation of this Article to the Department in each language spoken by the Substantial Number of Limited English Speaking Persons Group(s). The complaints may be made by telephone or by completing a complaint form.

(b) Departments shall document actions taken to resolve each complaint and maintain copies of complaints and documentation of their resolution for a period of not less than two (2) years. A copy of each complaint shall be forwarded to the City Manager within 30 days of its receipt. The City Manager shall furnish a report to the City Council every six months regarding the number, nature and status of complaints. The report shall be presented to the Finance and Management Committee of the Council or such other committee as the Council may designate before it is forwarded to the City Council.

SEC. 2.30.100 Compliance Plan.

(a) By June 1 of each year, the City Manager shall submit to the City Council an annual compliance plan. Each

(b) Each plan filed by the City Manager shall contain the following information:

- (1) The number and languages of the Limited English Speaking Group
- (2) The number of Public Contact Positions in each Department covered by this Ordinance, listed by job title.
- (3) The number of Bilingual Employees in Public Contact Positions, their titles, office locations, and the language(s) other than English that the persons speak;
- (4) A numerical assessment of the additional Bilingual Employees in Public Contact Positions needed to meet the requirements of Section 2.30.030 of this Article;
- (5) If assessments indicate a need for additional Bilingual Employees in Public Contact Positions to meet the requirements of Section 2.30.030 of this Article, a description of each Department's plan for filling the positions, including the number of estimated vacancies in Public Contact Positions, and a brief narrative describing the methods or means employed to ensure a pool of qualified bilingual applicants, and a brief narrative describing the method of processing each qualified applicant, including the methods used to assess language skills.
- (6) A list of all Public Contact Positions filled during the current fiscal year, a list of those Public Contact Positions filled with Bilingual Employees, and a copy of each of the qualified applicants pool lists for each position filled, identifying whether each applicant had bilingual capabilities.
- (7) A narrative assessment of the procedures used to facilitate communication with members of the Substantial Number of Limited English Speaking Persons Group(s), which shall include an assessment of the adequacy of the procedures;
- (8) The name, address, telephone number, and contact person of each recruitment firm used to search for qualified applicants for City employment positions; and
- (9) For each firm, the total number of City employees hired from the firm in the current year, including the employee's title and Department of employment, and the number of Bilingual Employees hired from the firm to fill Public Contact Positions, including their title and Department of employment.
- (10) A narrative assessing the adequacy of each firm to recruit applicants for Public Contact Positions in each of the Concentrated Number of Limited English Speaking Persons Group(s).

- (11) If the firm has been inadequate in recruiting applicants to fill Public Contact Positions in each of the Substantial Number of Limited English Speaking Persons Group(s), a description of the actions to be taken to improve performance.
- (12) A list of each Department's written materials required to be translated under this Article, the languages into which they have been translated, and the persons who have reviewed the translated material for review of accuracy and appropriateness;
- (13) A description of each Department's procedures for accepting and resolving complaints of an alleged violation of this Article;
- (14) A description of the written policies on providing services to members of the Substantial Number of Limited English Speaking Persons Group(s).
- (15) A report regarding the adequacy of service to members of the Limited English speaking persons Group(s).
- (16) Any other information requested by the City Council necessary for the implementation of this Article.

SEC. 2.30.120 Recruitment.

(a) It shall be the policy of the City to publicize job openings for Department's Public Contact Positions as widely as possible, including, but not limited to, in non-English language media. For every Public Contact Position for which bilingual capacity is necessary, the job shall be advertised as a bilingual position for which bilingual conversational proficiency will be a job requirement.

(b) It shall be the policy of the City to contract with recruitment firms able to attract a pool of qualified bilingual applicants for job openings in order to increase the opportunities for finding qualified Bilingual Employees to fill Public Contact Positions.

(c) Each Department's recruitment efforts shall be consistent with the City's Selective Bilingual Certification Process.

SEC. 2.30.130 Monitoring and Structure

(a) The City Manager shall be responsible for monitoring and facilitating compliance with this Ordinance. The City Manager will review complaints about alleged violations of this Ordinance and review compliance plans.

(b) The City Manager will submit to the City Council, a strategy to conduct outreach to members of the Substantial Number of Limited English Speaking Persons Group(s) about their rights under this Article; and procedures to accept and investigate complaints alleging violations of this Article. The strategy will be presented to the Finance and Management to the Committee, or such other Committee as the Council may designate before it is forwarded to the full City Council.

SEC. 2.30.140 Rules and Regulations. In order to effectuate the terms of this Article, the City Manager may propose rules and regulations consistent with this Article. Such rules and regulations shall be reviewed by the Finance and Management Committee or such other committee as the Council may designate, before they are approved by the City Council.

SEC. 2.30.150 Enforcement.

If City Manager determines that a Department is not complying with this Ordinance, he/she shall take steps to enforce the provisions of the Ordinance and assure compliance. The City

Manager's annual compliance plan will include information about the status of compliance with this Ordinance.

SEC. 2.30.160 Severability. If any of the provisions of this article or the application thereof to any person or circumstance is held invalid, the remainder of this Article, including the application of such part or provisions to persons or circumstances other than those to which it is held invalid, shall not be affected thereby and shall continue in full force and effect. To this end, the provisions of this Article are severable.

Introduced - 4/24/01
IN COUNCIL, OAKLAND, CALIFORNIA, MAY 08 2001, 20__

PASSED BY THE FOLLOWING VOTE:

AYES- BRUNNER, CHANG, ~~MILLY~~ ^{NADEL}, NADEL, REID, WAN, SPEES, AND
PRESIDENT DE LA FUENTE - 8

NOES- *None*

ABSENT- *None*

ABSTENTION- *None*

ATTEST: *Ceda Floyd*
CEDA FLOYD
City Clerk and Clerk of the Council
Of the City of Oakland California



UNITED CAMBODIAN COMMUNITY

"Honor The Past-Build The Future"

2201 E. Anaheim Street
Suite 200
Long Beach, CA 90804

Established 1977

Phone: 562.433.2490
Fax: 562.433.0564
www.ucclb.org

Recommendations for the Language Access Policy for the City of Long Beach

Purposes:

- **Cambodian residents.**
- **Reduce language barrier among monolingual**
- **programs/information.**
- **Improve accessing to City**
- **Encourage civic engagement.**
- **Cultural Competency**
- **Enhance Social Changes**
- **Improve Law Enforcement relationship**
- **Build trust**
- **Capitalize on the strengths of diversity**

Access to City Services

- **Phone Directory in Khmer-recorded.**
- **Directory –booklet of City Dept. should be**
- **translated in Khmer**
- **Use local media for important and emergency**
- **information.**
- **Provide public hearing/meetings within the**
- **central area that Cambodian residents can walk to and feel comfortable.**
- **Use Mark Twain Library to dissemination**
- **information as well as local CBOs and businesses**
- **Bilingual staff should be proficient in the**
- **ability to translate meaning and understanding.**
- **Consider the 86% of Cambodians first**
- **generation having less than 3rd grades level of education when implementing any**
- **program.**
- **Literacy/culture and background plays a role**
- **in getting people to understand public policies.**
- **Make How to booklets simple; complaint,**
- **compliance, recruitment, and involvement-translated.**
- **Policies can be visual....**
- **Audio-translated...How to do business or live**
- **in the City of Long Beach A-Z...**
- **Transparency**



Date: June 7, 2012

Tracy Colunga, Long Beach Development Services
Neighborhood Services Bureau
100 West Broadway, Suite 550
Long Beach, CA 90802

Re: City of Long Beach Language Access Policy Recommendation.

Language Access Policy Recommendation:

The Oakland California model and implementation locally
(Please see the attached copy)

Centro CHA considers the access policy adopted by the city of Oakland in 2001 to be a great example of language access legislation, and as a general statement, we move to adopt the majority of it's contents as a basis for our own CLB language access policy document.

With regard to the specific application of the Oakland document and the availability of funding to our own city however, there are some particular areas that we would modify the ordinance to address our local identified needs. Brief outlines of the specific policy points our committee would ideally address are as follows:

City Hall and City Council

- Council meetings should be translated into (top 5 languages per census blocks)
- Persons using translation services would be allotted additional time (**from 3min to 6minutes**) to address council to compensate for the time necessary for translation

Emergency response, notices, alerts, translator, and translated materials for:

- Police
- Fire
- Paramedics
- Health Department
- Diverse Business Owners/Leaders

Official city signage and access to translators

- Evacuation routes,
- City resource signs (hospitals, police, fire department)
- Small Business Development Center

Citizens Complaint Commission: *This department is of particular concern, as mono-lingual and low-literacy citizens would need to have confidence that their complaints regarding public service-persons are being heeded in a fair and attentive manner. This is the avenue that citizens would need to use to ensure the fair application of the language ordinance, and report non-compliance.*

- All materials available through this commission must be available in languages and literacy levels that reflect the changing demographics (particularly with regards to crime) in Long Beach.

Hiring Practices:

Particularly with regard to the Citizens complaint commission, the City must also adopt a policy of hiring employees that are culturally and linguistically sensitive to the diverse needs of the demographics of local residents.

Partner with Local Community Ethnic Groups

- *To assist with translation and dissemination of information to specific populations.*

On behalf of Centro CHA we applaud your leadership and effort to address this very important issue in our city and to improve the quality of life for mono-lingual residents through a language access policy initiative.

Please don't hesitate to contact me if you have any questions or need further assistance.

Sincerely,



Jessica Quintana, Executive Director
Centro CHA Inc.

Language Access Policy
 Language Data
 Long Beach, California

| | Long Beach Population | Percent of Total Population | Speak English Less Than Very Well | |
|----------------------------------|-----------------------|-----------------------------|-----------------------------------|-----------------------------|
| | | | Population | Percent of Total Population |
| Total Population (Age 5+) | 429,593 | 100% | | |
| English-Only Speakers | 236,086 | 55.0% | | |
| Spanish Speakers | 138,132 | 32.2% | 62,814 | 14.6% |
| Khmer Speakers | 14,874 | 3.5% | 8,607 | 2.0% |
| Tagalog Speakers | 13,446 | 3.1% | 5,181 | 1.2% |
| Vietnamese Speakers | 3,412 | 0.8% | 2,332 | 0.5% |
| Other Language Speakers | 23,643 | 5.4% | | |

Source: 2009-2011 American Community Survey 3-Year Estimate

**City of Long Beach Language Access Policy
(\$357,023)**

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 is consistent with and supplements California's 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 residents, staff recommends that the LAP also be applied to the Cambodian population of Long Beach.

Definitions

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

- (a) "City" shall mean the City of Long Beach.
- (b) "Department" shall mean any City department as the City Manager may designate.
- (c) "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.
- (d) "Substantial Number of Limited English Speaking Persons" shall mean 5 percent (5%) or more Limited English Speaking Persons residing in the City who speak a shared language other than English.
- (e) "Bilingual Employee" shall mean a City employee who is proficient in the English language and a non-English language that is spoken by 5 percent (5%) or more Limited English Speaking Persons who reside in the City.
- (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) "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. **(\$55,000)**
- (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. **(\$58,794)**
 - (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. **(\$7,408)**
(The Long Beach Police Department provides posted notices in public areas of their facilities indicating interpretation is available.)

Public Meetings and Hearings (\$72,750)

- (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 (\$53,071)

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 (\$110,000)

The City Manager shall be responsible for monitoring and facilitating compliance with this Policy and updating City Council as such on a regular basis.

Best Efforts
(\$648,775)

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. **(\$585,312)**
- (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. **(\$53,829)**
- (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. **(\$9,634)**
- (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.)**

The following document is a response to community partner recommendations, including the Language Access Coalition, United Cambodian Community and Centro CHA, regarding the City of Long Beach Language Access Policy.

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Legend

Responses listed in *italics* are direct quotes from the draft Language Access Policy.

All recommendations are listed as Included in Policy, Partially Included in Policy, Included in Policy (Best Efforts), or Not Included in Policy.

LANGUAGE ACCESS COALITION POLICY RECOMMENDATIONS

Primary Languages Spoken by Long Beach Residents

Coalition identified “English, Spanish, Khmer, Tagalog and Vietnamese as the primary languages spoken by Long Beach residents...the City should make interpretation and translation readily available for Spanish, Khmer and Tagalog speakers. However, there are also a significant number of Vietnamese speakers in the City, though the number does not reach the 10,000 person threshold utilized in the Oakland Policy. We recommend that further discussion take place regarding language access for Vietnamese speakers and readers.”

Status: Partially included in Policy

Policy Citation - Findings and Purpose Section: *This Policy is consistent with and supplements California’s 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 the City’s substantial number of limited English speaking Cambodian residents, staff recommends that the LAP also be applied to the Cambodian population of Long Beach.*

Walk-ins, Callers, and Bi-lingual Staffing

- a. “All lobby and reception areas must have large posters hanging in clear view so that community members can identify which language they speak.”

Status: Included in Policy \$7,408

Coalition Recommendation Cost: \$12,362 Spanish, Khmer, Tagalog and Vietnamese

Policy Citation – Translation of Material Section (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.*

- b. “All receptionist/public contact positions must have a list of proficient bi-lingual City staff.”

Status: Included in Policy \$55,000 (.5 FTE AA – For Coordination)

Coalition Recommendation Cost: \$55,000

Policy Citation – Bilingual Staff Section: *All public contact positions shall have access to a directory of qualified bilingual staff.*

- c. “Bi-lingual City staff must assist LEP community members, even if it is a different City department¹ than the one in which they normally work.”

¹ Departments include: City Attorney, City Auditor, City Clerk, City Manager, City Mayor and Council, City Prosecutor, Civil Service, Development Services, Financial Management, Fire, Harbor (Port of LB), Health and Human Services, Human Resources, Library Services, Long Beach Airport, Long Beach Gas and Oil, Parks, Recreation, and Marine, Police, Public Works, Technology Services, Water Department

Status: Included in Policy (Utilize Existing Resources)

Coalition Recommendation Cost: (Utilize Existing Resources)

Policy Citation – Bilingual Staffing (b): *Departments shall share employee translation and interpretation services across departments as needed.*

- d. "The City must hire an adequate number of bilingual staff proficient in the primary languages spoken by Long Beach residents."

Status: Included in Policy (Best Efforts) \$585,312

Coalition Recommendation Cost: \$691,600 Spanish, Khmer, Tagalog and Vietnamese

Policy Citation – Best Efforts Section (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.*

- e. "If staff is unable to effectively communicate with LEP person (in person communication), staff must call Language Line (or a similar company), in a timely and meaningful manner to communicate with the LEP Person, irrespective of what language the LEP person speaks. In person initial contact communications are not limited to Spanish, Khmer, Tagalog and Vietnamese. Language Line must be utilized for initial in person contact communication."

Status: Not included in Policy

Coalition Recommendation Cost: \$5,784,480

Long Beach Police and Fire Departments currently use Language Line for 911 Calls, which is funded by the State of California.

- f. "The City should enter into an ongoing service contract with Language Line (or a similar company) to provide language services, if it has not already done so, so that no one is turned away from in person or telephonic communication."

Addressed in Recommendation c and e.

- g. "If an LEP person calls the City, he/she shall be connected to a bi-lingual staff member for timely and meaningful assistance. If a bi-lingual staff member cannot be located in a timely manner, Language Line (or a similar company) shall be utilized to communicate with the LEP community member. Telephonic initial contact communications should not be limited to Spanish, Khmer, Tagalog and Vietnamese. Language Line must be utilized if necessary for initial telephonic communication."

Addressed in Recommendation e.

- h. "Pre-recorded telephone messages shall be recorded in the primary languages spoken by Long Beach residents and updated as appropriate based on annual census data."

Status: Included in Policy \$53,071

Coalition Recommendation Cost: \$106,142 Spanish, Khmer, Tagalog and Vietnamese

Policy Citation – Recorded Telephonic Messages Section: *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.*

Use of Family Members as Interpreters

- i. "The City shall strongly discourage the use of adult family members or friends to serve as interpreters. Family members and friends are typically not trained interpreters and may not be proficient in English or other languages spoken."

Status: Not included in Policy

- j. "The use of minor children to interpret shall be prohibited absent exceptional or emergency circumstances, which shall be documented in writing."

Status: Not included in Policy

Translation of Vital Documents and Website:

- k. "All 'vital documents' shall be translated into the primary languages spoken by Long Beach residents."

Status: Included in Policy \$58,794

Coalition Recommendation Cost: \$123,754 Spanish, Khmer, Tagalog and Vietnamese

Policy Citation – Translation of Materials Section (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.*

Policy Citation - Translation of Materials Section (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.²*

- (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.*

² This is based on a one-time translation, going forward, every page translated into Spanish costs \$29.00 per page and into Khmer \$35.00 per page.

- (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.*

I. "City staff shall be trained re: how to work with interpreters, language resources and other issues pertaining to assisting LEP community members."

Status: Included in Policy (Best Efforts) \$53,829

Coalition Recommendation Cost: \$554,025 All City Staff

Policy Citation – Best Efforts Section (d): *The City shall use best efforts for the following: Staff acting as interpreters or translators shall be trained regarding appropriate techniques and ethics with respect to interpretation and translation.*

m. "The City's website must be translated into the primary languages spoken by Long Beach residents. Vital documents that have been translated shall be placed on the City's website as well."

Status: Partially Included in Policy (Nominal Cost)³

Coalition Recommendation Cost: \$47,624 Spanish, Khmer, Tagalog and Vietnamese

Policy Citation – Translation of Material Section (b)(8): *Every department's main website page shall have a written notice regarding translation of material.*

Training:

n. "Bi-lingual staff acting as interpreters or translators shall be trained re: appropriate techniques and ethics with respect to interpretation and translation."

Addressed in Recommendations I and o.

o. "Bi-lingual staff acting as interpreters or translators shall be tested for quality control purposes."

Status: Included in Policy \$110,000 (1.0 FTE AA)

Coalition Recommendation Cost: \$110,000

Policy Citation – Monitoring and Structure Section: *The City Manager shall be responsible for monitoring and facilitating compliance with this Policy and updating City Council as such on a regular basis.*

p. "Current and future City staff shall be trained regularly re: the requirements of the City's Language Access Policy, to ensure that staff is aware of the requirements and protocols in the Policy."

Status: Not Included in Policy

³ A notation in both Spanish and Khmer on each Department homepage, that informs the user about how to get the webpage translated.

Coalition Recommendation Cost: \$184,699 (Training for All City Employees)

City-Sponsored Meetings:

- q. "Interpretation shall be provided at all City Council, City Commission, City board, and City sponsored meetings if 24 hours advance notice is given."

Status: Partially included in Policy \$72,750

Coalition Recommendation Cost: \$455,105 Spanish, Khmer, Tagalog and Vietnamese

Policy Citation – Public Meetings and Hearings Section (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.*

- r. "LEP speakers shall be given twice the amount of time to speak at meetings when testimony is timed. For example, at City Council meetings, LEP speakers shall be given six (6) minutes to speak in public comments, as opposed to the usual three (3) minutes."

Addressed in Recommendation q.

Outreach, Coordination, Quality Control, Annual Review:

- s. "Widespread notice of the City's Language Access Policy shall be circulated, in the primary languages spoken by Long Beach residents, including notice on the City's website, so that community members are aware of their rights pursuant to the Policy."

Status: Included in Policy (Best Effort) \$9,634

Coalition Recommendation Cost: \$16,292 Spanish, Khmer, Tagalog and Vietnamese

Policy Citation – Best Effort Section (e): *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.*

- t. "The City Manager shall appoint a senior staffer to act as the Language Access Coordinator, to coordinate, support and oversee all language access activities, as well as monitoring and enforcement of the Policy."

Status: Not included in Policy

Coalition Recommendation Cost: \$132,000 Annually (1.0 FTE Officer)

- u. "Once the Policy is in place, the City should hire testers to assess the City's compliance with the Policy. This will allow the City to assess and improve its performance."

Status: Not included in Policy

Coalition Recommendation Cost: \$40,000 Spanish, Khmer, Tagalog and Vietnamese

- v. "The City should collect input from community members and community groups on an ongoing basis to improve access, services and participation of LEP persons."

Status: Partially Included in Policy

Addressed in Recommendation o.

- w. "The City must review the most recent census data on an annual basis to identify the primary languages spoken by the Long Beach residents. This information will be submitted to the City Council annually, in a staff report, as an agenda item on Council's agenda."

Status: Included in Policy

Addressed in Recommendation o.

The Language Access Coalition also provided a sample language access policy (See Attachment C) based on the Oakland Language Access Policy.

United Cambodian Community submitted a list of recommendations, which are addressed in the City's response to the Language Access Coalition recommendations above.

Centro CHA submitted a list of recommendations, which are addressed in the City's response to the Language Access Coalition recommendations above with the exception of Best Effort Sections (g) and (h) described below.

Status: Included in Policy (Best Efforts)

Cost Analysis Not quantifiable at this time.

Policy Citation – Best Effort Section (g): *Translation shall be provided for official city signage including evacuation routes and city resource signs.*

Policy Citation – Best Effort Section (h): *Partner with local community ethnic groups to assist with translation and dissemination of information to specific populations.*