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RESOLUTION NO. RES-15-0130

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

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

WHEREAS, on August 13, 2013, the City of Long Beach adopted
Resolution No. RES-13-0071 in which the City adopted a Language Access Policy; and

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

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

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

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

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

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ereby certify that the	foregoing resolution was adopted by the City
ty of Long Beach at its	meeting of, 2015
ote:	
Councilmembers:	Lowenthal, Price, Supernaw, Mungo, Andrews, Uranga, Austin, Richardson.
Councilmembers:	None.
Councilmembers:	Man All Haur City Clerk
	ty of Long Beach at its ote: Councilmembers: Councilmembers:

City of Long Beach Language Access Policy

Findings and Purpose

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

Definitions

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

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

Bilingual Staffing

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

Translation of Materials

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

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

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

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

Public Meetings and Hearings

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

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

Recorded Telephonic Messages

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

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

Recruitment

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

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

Monitoring and Structure

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

Use of Minors as Interpreters (No Cost)

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

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

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

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

Best Efforts (\$726,800)

The City shall use best efforts for the following:

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

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

Exhibit A

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	Juvenile Resource Guide	×	×		N/A	N/A	×	×	N/A	A/N
	Los Angeles County Hotline For Victims Of Domestic Violence And Sexual Assault	×	×		×	×	×	×	×	×
Jail Division	Complaint Forms	×			N/A	N/A	×	N/A	N/A	N/A
	Complaint Forms	×	×		N/A	N/A	×	×	N/A	A/N
Ц	Crime Prevention	×	×		×	×	×	×	×	×
	DUI Pamphlets	×	×		×	×	×	×	×	×
	Fourth Of July Flyers	×	×		×	×	×	×	×	×
	Handwritten Parking Ticket Form				×	×	×	×	×	×
	Public Safety Flyers	×	×		×	×	×	×	×	×
	Report Forms	×	×		×	×	×	×	×	×
	Vehicle Impound Forms	×	×		×	×	×	×	×	×·
	Victim Resource Guides	×	×		×	×	×	×	×	×
Engineering Bureau	Door hanger – Imminent Sidewalk/Street Work				×	×	×	×	×	×
	Where to Recycle Used Oil (New HHW Collection Facility)	×			×	×	×	×	×	×
Environmental Services Bureau	Litter Free Street Banners	×	×		N/A	N/A	×	×	N/A	N/A
	"No Litter Zone" Packet (Litter Free LB Trifold Pamphlet and Litter Free LB Packet Inserts)	×	×		×	×	×	×	×	×
	Special Collection for Residents (Used Motor Oil and Special Collections Flyer)	×			×	×	×	×	×	×
	Tree-Cycling Flyer	×	×		×	×	×	×	×	×
	Used Motor Oil Recycling Information (Same as Used Motor Oil and Special Collections Flyer)	×	×		N/A	N/A	×	×	N/A	A/N
Public Service Bureau	Fireworks Official Notice Flyer	×	×		×	×	×	×	×	×
			Wester	islam isolar						
	Annual Water Quality Report	×	×		×	×	×	×	×	×
	Quarterly Citywide Newsletter (sent with utility bill)				×	×	×	×	×	×
	Stage 1 Water Prohibitions				×	×	×	×	×	×
	Conservation Materials- Updated Schedule and Rebate				×	×	×	×	×	×
	Landscape Program Application (L2G Program)				×	×	×	×	×	×
	Notice Of Shutoffs (door hanger)				×	×	<	Κ	<	Κ

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

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