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Title: Directing The City Of Albuquerque To Provide Language Access To Make Information And Services More Accessible To All City Residents, Regardless Of Their Ability Or English Proficiency (Sena, Peña, Benton, Davis)
Sponsors: Klarissa J. Peña, Isaac Benton, Pat Davis
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12/6/2021	1	President	To be heard at the Council Meeting	
12/6/2021	1	City Council	Introduced	

CITY of ALBUQUERQUE
TWENTY FOURTH COUNCIL

COUNCIL BILL NO. R-21-231 ENACTMENT NO. _____

SPONSORED BY: Lan Sena, Klarissa J. Peña, Isaac Benton, Pat Davis

RESOLUTION

Directing The City Of Albuquerque To Provide Language Access To Make Information And Services More Accessible To All City Residents, Regardless Of Their Ability Or English Proficiency (Sena, Peña, Benton, Davis)

DIRECTING THE CITY OF ALBUQUERQUE TO PROVIDE LANGUAGE ACCESS TO MAKE INFORMATION AND SERVICES MORE ACCESSIBLE TO ALL CITY RESIDENTS,

REGARDLESS OF THEIR ABILITY OR ENGLISH PROFICIENCY.

WHEREAS, The Albuquerque metropolitan area is home to 845,849 people; and

WHEREAS, Five percent of this population reports having a hearing disability and 67,357 speak little or no English; and

WHEREAS, The most common languages in the City other than English are Spanish, Diné, American Sign Language, Vietnamese, and Mandarin, all of which have more than 1,000 speakers; The City has an estimated 55,537 mono-lingual Spanish-speakers; 2,300 speakers of Northern Native American languages, predominantly Diné (1207); 2,063 mono-lingual Vietnamese speakers, 1,344 speakers of Mandarin; and

WHEREAS, The City has hundreds of speakers of each of the following languages who speak English less than well: Japanese, Arabic, Tagalog, French, Korean, Russian, Thai, Gujarati, Pashto, Farsi, Dari and Swahili. These populations enrich our city with cultures, skills and abilities gained from their lived experiences, and all have chosen to live in Albuquerque; and

WHEREAS, The City seeks to make government services and resources easily available and understandable to all people living in Albuquerque, including non-English speakers and those with vision, hearing, and communication disabilities; and

WHEREAS, Title VI of the Federal Civil Rights Act of 1964 states that “no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance” and requires federal grant recipients to provide language access; and

WHEREAS, Ordinance Ch. 11, Art. 3, adopted in 1973 and known as the Human Rights Ordinance, was created in order to preserve, protect and promote human rights and human dignity, to promote and encourage the recognition and exercise of human responsibility, to protect and promote equality of access to public goods and services and to prohibit discrimination on the bases of race, color, religion, sex, national origin or ancestry, age or disability; and

WHEREAS, Resolution R-18-7, adopted in 2018, reaffirms Albuquerque as an Immigrant Friendly City, states the City’s intent is to promote public safety, safeguarding the civil rights, safety and dignity of all residents and creating an environment conducive to all victims of violent crime seeking assistance; and

WHEREAS, Resolution R-18-7 supports the equal treatment of all persons and states that all persons who live within the City should have full access to all city services with respect and

dignity, including public safety services and programs, regardless of their race, disability, national origin, gender identity, religion, sex, sexual orientation, ethnicity, economic or immigration status; and

WHEREAS, Article VIII of the City Charter states that, “The Council shall preserve, protect and promote human rights and human dignity . . . and shall prohibit discrimination on the basis of race, color, religion, sex, national origin or ancestry, age or physical handicap”; and

WHEREAS, On September 20, 2021, the Mayor signed an Executive Order directing the City of Albuquerque to Provide Language Access; and

WHEREAS, The Language Access Executive Order directs all City of Albuquerque departments to submit a Language Access Plan to the Office of Equity & Inclusion for review and approval by the Mayor’s Office and prioritizes implementation of the Language Access Plan; and

WHEREAS, It is the intent of the Council to codify the Language Access Executive Order to ensure that now and in the future, government services and resources are easily available and understandable to all people living in Albuquerque; and

WHEREAS, It is the aspiration of the Council to provide equal access to City services for all people living in Albuquerque, including those with limited proficiency in English, and those who use American Sign Language, closed captioning, and Braille; and

WHEREAS, The Council commits to advance a good faith effort to prioritize Language Access efforts within all City departments, and encourages communication with departments regarding their needs, including requests for additional funding, particularly in times of emergencies; and

WHEREAS, Language access and use of technology to make information more accessible helps all residents, regardless of their ability or English proficiency, to have meaningful and equitable access to City services, programs, and stakeholder engagement.

BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY
ALBUQUERQUE:

SECTION 1.

a. The Office of Equity & Inclusion shall provide departments with a Language Access Plan Template to guide the development of each department’s Language Access Plan.

b. Each department shall submit a Language Access Plan to the Office of Equity & Inclusion for technical assistance review and approval by the Chief Administrative Officer.

c. Starting with the Fiscal Year 2023 Annual Budget request, each department will propose an annual budget to cover costs associated with implementation of its Language Access

Plan.

1. As part of the annual budget process, departments shall demonstrate to the City Council their compliance with the Language Access Policy as set out by this Resolution, detailing progress in the year concluded and plans for the year ahead and providing a copy of the department's updated Language Access Plan.

d. The Office of Equity & Inclusion shall provide departments with technical assistance for language access, including assistance with identifying language service providers, best practices, and training.

e. The ADA Coordinator shall provide departments with technical assistance for making written, verbal, and other types of communication more accessible through use of available tools such as read-aloud and alt-text.

f. The Office of Equity & Inclusion shall prioritize technical assistance to departments involved in responding to health-and-safety-related crises, immigrant integration, asylum-seeker and refugee relief, emergency preparedness and response, economic recovery programs, and emergent situations.

g. The Office of Equity & Inclusion is responsible for the following Language Access Program oversight duties:

1. Work with departments to finalize Language Access Plans before they are sent for approval to the Chief Administrative Officer;

2. Provide technical assistance for language services to all departments to include training department staff;

3. Provide strategic guidance to departments about best practices for working with Limited English Proficiency populations;

4. Conduct periodic, random reviews of departments to check for language accessibility.

SECTION 2. DEPARTMENT RESPONSIBILITIES.

Each department shall be responsible for the following Language Access Program implementation duties:

1. Designate a Language Access Coordinator; and

2. Translate and maintain copies of all vital documents.

SECTION 3. SEVERABILITY.

If any section, subsection sentence, clause, phrase, or portion of this Resolution is held to be

invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution.

SECTION 4. COMPILATION. This Resolution shall be incorporated in and made part of the Code of Resolutions of Albuquerque, New Mexico, 1994, titled "Language Access Policy."

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