CITY of ALBUQUERQUE
TWENTY FOURTH COUNCIL

COUNCIL BILL NO. R-21-231 ENACTMENT NO. R-2022-0140

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

1 RESOLUTION
2 DIRECTING THE CITY OF ALBUQUERQUE TO PROVIDE LANGUAGE ACCESS
3 TO MAKE INFORMATION AND SERVICES MORE ACCESSIBLE TO ALL CITY
4 RESIDENTS, REGARDLESS OF THEIR ABILITY OR ENGLISH PROFICIENCY.
5 WHEREAS, The Albuquerque metropolitan area is home to 845,849 people;
6 and
7 WHEREAS, Five percent of this population reports having a hearing
8 disability and 67,357 speak little or no English; and
9 WHEREAS, The most common languages in the City other than English are
10 Spanish, Diné, American Sign Language, Vietnamese, and Mandarin, all of
11 which have more than 1,000 speakers; The City has an estimated 55,537
12 mono-lingual Spanish-speakers; 2,300 speakers of Northern Native American
13 languages, predominantly Diné (1207); 2,063 mono-lingual Vietnamese
14 speakers, 1,344 speakers of Mandarin; and
15 WHEREAS, The City has hundreds of speakers of each of the following
16 languages who speak English less than well: Japanese, Arabic, Tagalog,
17 French, Korean, Russian, Thai, Gujarati, Pashto, Farsi, Dari and Swahili. These
18 populations enrich our city with cultures, skills and abilities gained from their
19 lived experiences, and all have chosen to live in Albuquerque; and
20 WHEREAS, The City seeks to make government services and resources
21 easily available and understandable to all people living in Albuquerque,
22 including non-English speakers and those with vision, hearing, and
23 communication disabilities; and
24 WHEREAS, Title VI of the Federal Civil Rights Act of 1964 states that "no
25 person in the United States shall, on the ground of race, color, or national
26 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.
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.

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.

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.

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.”
PASSED AND ADOPTED THIS 20th DAY OF December, 2021
BY A VOTE OF: 8 FOR 0 AGAINST.

Excused: Harris

Cynthia D. Borrego, President
City Council

APPROVED THIS 27 DAY OF January, 2021

Timothy M. Keller, Mayor
City of Albuquerque

ATTEST:

Ethan Watson, City Clerk