

# CITY of ALBUQUERQUE

## TWENTY FOURTH COUNCIL

COUNCIL BILL NO. R-21-231 ENACTMENT NO. R-2022-006

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

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1 subjected to discrimination under any program or activity receiving Federal  
2 financial assistance” and requires federal grant recipients to provide language  
3 access; and

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

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

15 WHEREAS, Resolution R-18-7 supports the equal treatment of all persons  
16 and states that all persons who live within the City should have full access to  
17 all city services with respect and dignity, including public safety services and  
18 programs, regardless of their race, disability, national origin, gender identity,  
19 religion, sex, sexual orientation, ethnicity, economic or immigration status;  
20 and

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

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

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

31 WHEREAS, It is the intent of the Council to codify the Language Access  
32 Executive Order to ensure that now and in the future, government services

1 and resources are easily available and understandable to all people living in  
2 Albuquerque; and

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

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

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

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

17 SECTION 1.

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

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

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

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

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

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

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

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

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

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

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

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

22 **SECTION 2. DEPARTMENT RESPONSIBILITIES.**

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

25 1. Designate a Language Access Coordinator; and

26 2. Translate and maintain copies of all vital documents.

27 **SECTION 3. SEVERABILITY.**

28 If any section, subsection sentence, clause, phrase, or portion of this  
29 Resolution is held to be invalid or unconstitutional by the decision of any  
30 court of competent jurisdiction, such decision shall not affect the validity of  
31 the remaining portions of this Resolution.

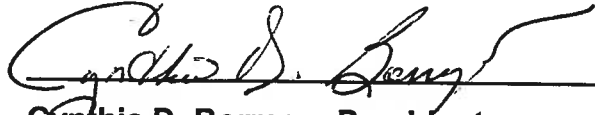
1 SECTION 4. COMPILATION. This Resolution shall be incorporated in and  
2 made part of the Code of Resolutions of Albuquerque, New Mexico, 1994, titled  
3 “Language Access Policy.”  
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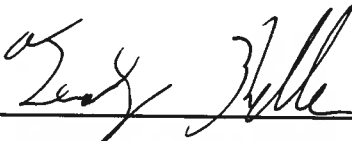
1 PASSED AND ADOPTED THIS 20<sup>th</sup> DAY OF December, 2021  
2 BY A VOTE OF: 8 FOR 0 AGAINST.

3  
4 Excused: Harris  
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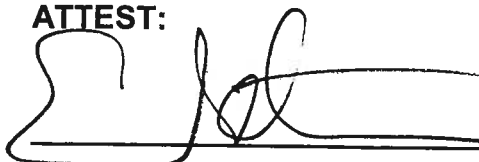
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8 \_\_\_\_\_  
9 Cynthia D. Borrego, President  
10 City Council

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12  
13 APPROVED THIS 27 DAY OF December, 2021  
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16 Bill No. R-21-231  
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21 Timothy M. Keller, Mayor  
22 City of Albuquerque  
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27 ATTEST:

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29 \_\_\_\_\_  
30 Ethan Watson, City Clerk  
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