

MISSING ORIGINAL LEGISLATION

Resolution / Ordinance Number: 8 2 8 4 6
City Council Meeting Date June 15, 2010
Agenda Item No. 12
Recorded Vote 5 Ayes, 3 Noes BK/ND/RD

Reason for Missing Legislation:

- Draft submitted in agenda packet, original never received
- Council amended legislation at the meeting

Responsible Contact Information

Department Councilmember De La Fuente

Contact Person/Ext. Claudia Burgos x 7051

Notes (if any)

FILED
OFFICE OF THE CITY CLERK
OAKLAND

City Attorney

2010 MAY 13 PM 9:25 **OAKLAND CITY COUNCIL**

DRAFT

RESOLUTION NO. _____ C.M.S.

INTRODUCED BY COUNCILMEMBER IGNACIO DE LA FUENTE, VICE MAYOR JEAN QUAN,
COUNCILMEMBER PATRICIA KERNIGHAN

**Adopt a Resolution in Opposition of Assembly Bill 781, as amended (JEFFRIES),
“Bilingual Services” which would effect statutory changes relating to bilingual hiring
requirements in Local Agencies**

WHEREAS, On May 8, 2001, the Oakland City Council passed the "Equal Access to Services" Ordinance; and

WHEREAS, the "Equal Access to Services" Ordinance requires 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; and

WHEREAS, the City Council made a policy decision eight years ago 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 determined that the public safety, health, convenience, comfort, property, and general welfare would be furthered by the provisions of the Equal Access to Services Ordinance which established standards and procedures with respect to access to City programs and services by residents who are not fluent in English; and

WHEREAS, on May 8, 2001, the Oakland City Council declared that there are 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; and

WHEREAS, Oakland's Equal Access Ordinance is consistent with and supplements California's Dymally-Alatorre Bilingual Services Act, Government Code 7290 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; and

WHEREAS, AB 781 is a direct attack on Oakland's Equal Access Ordinance; and

WHEREAS, Oakland's Equal Access Ordinance has been in place for over eight years and has never been legally challenged; and

WHEREAS, Oakland's Equal Access Ordinance specifically states: "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;" now, therefore be it

RESOLVED: The City of Oakland declares its opposition for AB 781 (Jeffries); and be it

FURTHER RESOLVED: That the City Council hereby directs the City Administrator and the City's legislative lobbyist to advocate for the above position in the California State Legislature.

IN COUNCIL, OAKLAND, CALIFORNIA, 2010

PASSED BY THE FOLLOWING VOTE:

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID,
 AND PRESIDENT BRUNNER

NOES –

ABSENT –

ABSTENTION-

Attest: _____

LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California