

[Administrative Code - Language Assistance and Services at Board of Supervisors Meetings]

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2 **Ordinance amending the Administrative Code to require the Office of Civic**
3 **Engagement and Immigrant Affairs to provide interpretation services upon request at**
4 **every meeting of the Board of Supervisors between September 1, 2015 and July 31,**
5 **2016; and to require the Office of Civic Engagement and Immigrant Affairs to translate**
6 **agendas of Board of Supervisors meetings and certain public notices and the public**
7 **document listing all legislation introduced at each Board of Supervisors meeting**
8 **during that period.**

9 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
10 **Additions to Codes** are in *single-underline italics Times New Roman font*.
11 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
12 **Board amendment additions** are in double-underlined Arial font.
13 **Board amendment deletions** are in ~~strikethrough Arial font~~.
14 **Asterisks (* * * *)** indicate the omission of unchanged Code
15 subsections or parts of tables.

16 Be it ordained by the People of the City and County of San Francisco:

17 Section 1. The Administrative Code is hereby amended by revising Section 2.6-2, to
18 read as follows:

19 **SEC. 2.6-2. ~~PROVISION FOR INTERPRETING~~ LANGUAGE ASSISTANCE AND**
20 **SERVICES.**

21 *(a)* It is the policy of the Board of Supervisors that ~~interpreting language assistance and~~
22 services shall be provided as required by the Sunshine Ordinance (Administrative Code Chapter 67)
23 and the Language Access Ordinance (Administrative Code Chapter 91), at all meetings of the Board of
24 Supervisors and of its Committees as needed. The Clerk of the Board ~~is hereby directed to include~~
25 funding shall take into account the need for interpreting language assistance and services in
developing the budget of the Board of Supervisors for future fiscal years.

1 (b) There is hereby established an 11-month pilot program under which the Office of Civic
2 Engagement and Immigrant Affairs (“OCEIA”) shall provide interpretation and translation services to
3 the public as provided in this subsection 2.6-2(b). The pilot program shall begin September 1, 2015
4 and end July 31, 2016 (the “Pilot Period”).

5 (1) By August 15, 2015, OCEIA shall transmit to the Clerk of the Board a proposed
6 protocol for providing the translation and interpretation services required under subsections (b)(2) and
7 (b)(3). The Clerk of the Board may amend the protocol in her discretion consistent with subsections
8 (b)(2) and (b)(3), and shall approve a final protocol by no later than September 1, 2015.

9 (2) During the Pilot Period, staff from OCEIA shall attend every regular and special
10 meeting of the Board of Supervisors, and shall provide upon request interpretation of the proceedings
11 in any language spoken by a Substantial Number of Limited English Speaking Persons, as defined in
12 Administrative Code Section 91.2. In its discretion, OCEIA also may assign staff to attend and provide
13 interpretation at meetings of any committees of the Board of Supervisors. In advance of any Board of
14 Supervisors or committee meeting attended by OCEIA staff to provide interpretation services, OCEIA
15 shall provide to the Clerk of the Board the names of the staff members and the anticipated times of their
16 attendance, and shall request that the Clerk of the Board assign space for those staff members in the
17 Board of Supervisors chamber or committee room. OCEIA may also provide transmitter and hearing
18 device headsets to members of the public to aid interpretation services when the Office of the Clerk of
19 the Board so requests.

20 (3) (A) During the Pilot Period, whenever the Clerk of the Board prepares and
21 posts on its website either (A) the agenda for a regular or special meeting of the Board of
22 Supervisors or (B) either (i) Public Notice Information, as defined in subsection (3)(B), or (ii) a
23 document listing titles of the legislation introduced at a meeting of the Board of Supervisors (commonly
24 known as the Legislation Introduced at Roll Call document), the Clerk of the Board shall transmit a
25 copy of the document to OCEIA. Within three business days of receiving the document, OCEIA shall,

1 to the extent practicable in light of staffing constraints, translate the document into each language
2 spoken by a Substantial Number of Limited English Speaking Persons, as defined in Administrative
3 Code Section 91.2, and shall transmit the document in each language to the Clerk of the Board. The
4 Clerk of the Board shall post the translated documents on its website within 24 hours of receipt. This
5 subsection (b)(3) requires translation of the Legislation Introduced at Roll Call document but does not
6 require translation of the contents of legislation the titles of which appear in that document.

7 (B) For the purpose of this subsection (3), Public Notice Information
8 shall mean information posted by the Clerk of the Board on its website stating the time, date,
9 location, and subject matter of any public hearing for which State or local law requires the
10 Clerk of the Board to publish or mail notices at least ten days prior to the date of the hearing.
11 By way of example and without limitation, Public Notice Information includes information
12 regarding the time, date, location and subject matter of appeal hearings under Administrative
13 Code Chapter 31 regarding environmental review determinations, hearings regarding new or
14 increased regulatory fees, and hearings regarding proposed zoning moratoria under California
15 Government Code Section 65858.

16 (4) It shall be City policy to provide sufficient funding for OCEIA and the Clerk of
17 the Board to fulfill the duties imposed by this Section 2.6-2 during the Pilot Period.

18 (c) The failure of OCEIA or the Clerk of the Board to adhere to the requirements of this
19 Section 2.6-2 or to translate or interpret fully or accurately the contents of any document or meeting
20 shall not affect the validity of any legislation or other matter considered by the Board of Supervisors.
21 In adopting this Section 2.6-2, the City is assuming an undertaking only to promote the general welfare,
22 and this Section 2.6-2 does not impose on the City or any of its officers or employees an obligation for
23 breach of which the City may be liable in money damages to any person who claims that such breach
24 proximately caused injury.

1 (d) Unless the Board of Supervisors provides otherwise by ordinance, the City Attorney
2 shall cause subsections (b), (c), and (d) of this Section 2.6-2 to be removed from the Administrative
3 Code after August 1, 2016.

4
5 Section 2. No Conflict with Federal or State Law or Voter-Approved Measures.
6 Nothing in this ordinance shall be interpreted or applied so as to create any requirement,
7 power, or duty in conflict with any federal or state law, including the Ralph M. Brown Act,
8 California Government Code Section 54950 et seq., or any local law adopted by the voters,
9 including the San Francisco Sunshine Ordinance, Administrative Code Chapter 67.

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11 Section 3. Effective Date. This ordinance shall become effective 30 days after
12 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
13 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
14 of Supervisors overrides the Mayor’s veto of the ordinance.

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16 Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
17 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
18 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
19 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment

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1 additions, and Board amendment deletions in accordance with the "Note" that appears under
2 the official title of the ordinance.

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4 APPROVED AS TO FORM:
5 DENNIS J. HERRERA, City Attorney

6 By: _____
7 JON GIVNER
8 Deputy City Attorney

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