



City of Oakland, Bicyclist & Pedestrian Advisory Commission
Minutes from the February 20th, 2020 meeting
City Hall, 2nd Floor, Sgt Daniel Sakai Hearing Room (aka Hearing Room 4)

Meeting agenda at <https://cao-94612.s3.amazonaws.com/documents/February-2020-BPAC-Agenda.pdf>.

Meeting called to order at 6:02 pm by BPAC Chair Naylor.

Item 1. Roll Call/Determination of Quorum/Introductions

At roll call, quorum was established with seven commissioners present (X). Two commissioners arrived just after roll call (x).

Commissioners	Present
Reginald K Burnette Jr	x
Andrew Campbell (Vice-Chair)	X
Grey Gardner	X
Jesse Jones	X
Phoenix Mangrum	X
George Naylor (Chair)	X
Mariana Parreiras	X
Patricia Schader	X
Dianne Yee	x

Introductions were made.

- Other attendees: Tom Holub, Marisa Melo, Paul Padegimas, Brendan Pittman, Chris Sanders, Robert Prinz, Midori Tabata, George Foster, Jean Walsh, Kenya Wheeler, Michael Shafer, Chris Hwang
- Staff: Sarah Fine, Jason Patton, Noel Pond-Danchik

Item 2. Approval of meeting minutes

- A motion to ***adopt the Bicyclist & Pedestrian Advisory Commission meeting minutes from the January 16, 2020 meeting after the edit that Brendan Pittman be added to the list of Infrastructure Committee members*** was made (Parreiras), seconded (Yee), and approved by consent. Adopted minutes online at <https://www.oaklandca.gov/boards-commissions/bicyclist-and-pedestrian-advisory-commission/meetings>.
- A motion to ***adopt the Bicyclist & Pedestrian Advisory Commission meeting minutes from the January 30, 2020 Special Meeting*** was made (Campbell), seconded (Jones), and approved by consent with Commissioner Parreiras abstaining. Adopted minutes online at <https://www.oaklandca.gov/boards-commissions/bicyclist-and-pedestrian-advisory-commission/meetings>.

Item 3. BPAC 25th Anniversary Celebration

Chair Naylor led the commission in a celebration to commemorate the 25th Anniversary of the first meeting of the Bicycle/Pedestrian Advisory Committee held in February 1995. Jason Patton, Oakland Department of

Transportation (OakDOT)'s Bicycle & Pedestrian Program Manager, spoke on the history of the commission, first created to advise on implementation to Oakland's first Bike Plan. The agenda from the first meeting was shown on the projector and Chair Naylor read an email from Robert Raburn, one of the original members of the commission, aloud. The agenda and email are attached.

Summary of Discussion:

- Michael Shafer, one of the original members, said a few words about the commission and how it has changed since its inception.
- Chris Hwang, committee and commission alum, said a few words about the impact of the commission.
- Celebratory cake was served.

Speakers other than commissioners: Jason Patton, Michael Shafer, Midori Tabata, Chris Hwang

Item 4. Open Forum / Public Comment

- Robert Prinz – Prinz bikes around Oakland every Martin Luther King Jr. Day and reports potholes to seeclickfix.com/oakland This past Martin Luther King Jr. Day, he reported about 100 potholes. Prinz thanked OakDOT staff for already filling many of those he reported.
- Robert Prinz – Prinz requested the Legislative Committee look into abandoned railroad tracks. Prinz noted that owners of land which include abandoned railroad tracks are required to remove them, but that the rule is not enforced and that abandoned railroad tracks have been affecting OakDOT's ability to implement projects. Prinz passed around a map he made of existing abandoned tracks (attached).
 1. Michael Shafer noted that potholes and abandoned railroad tracks have been topics of discussion for the commission since its inception.
- Marisa Melo – Melo requested that Seminary Ave between Camden St and Kuhnle Ave/Interstate 580 near Mills College in District 6 receive traffic calming measures like a road diet because drivers speed on that stretch of road. She also complained of cars blocking sidewalks.
 1. Midori Tabata seconded this point and said that the cars tend to block sidewalks more often during commute hours.
 2. Cars blocking sidewalks can be reported on 311.
 3. Melo noted that the new stop sign on Seminary Ave has helped calm traffic but some drivers do not comply with the sign.

Item 5. Committee Report Back

Committees of the BPAC with activities in the past month provided brief updates to the Commission. Chair Naylor noted that members of the public are welcome to join committees and invited them to do so. A list of active committees is included in the agenda packet and can be found at <https://www.oaklandca.gov/resources/bicyclist-and-pedestrian-advisory-commission-bpac-committees-and-liaisons>

Summary of Discussion:

- Infrastructure Committee: The committee met on February 6th. The notes are not yet posted but they will be posted at <https://docs.google.com/document/d/1qqS46y3dWNeAxMVwU3HTwjunj-b0pwANtZix-CisiWA/edit> The committee will be working with Jason Patton, OakDOT Bicycle &

Pedestrian Program Manager, as a task force for implementation of the recently adopted Bike Plan, "Let's Bike Oakland". The committee is interested in making design guidelines and minimums for recommendations for neighborhood bike routes (also known as bicycle boulevards).

- Legislative Committee: The committee met on January 15th. They meet on the second Wednesday of the month at 7am. Last year they wrote a piece of legislation to make the City of Oakland expedite traffic safety projects. At their last meeting, they discussed strategic priorities for the committee that align with the City of Oakland's upcoming General Plan. The committee decided to focus on:
 1. The Safe Streets resolution mentioned above,
 2. Drafting an ordinance which could be proposed by a Councilperson to adjust speed limits around schools,
 3. Legislation to adjust parking and fine formulations, and
 4. Monitoring legislation statewide that influences walking and biking, policing and private security, and Oakland's community engagement policies.
- Liaison to Affordable Housing and Measure KK Infrastructure Bond Oversight Committee: The last meeting was not attended. Some background on the Infrastructure Bond (I-Bond) is that the bond was passed with 80% of votes, and much of the money goes to roadway improvements, paving, and other traffic safety infrastructure projects. For more information on the Affordable Housing and Measure KK Infrastructure Bond Public Oversight Committee, see <https://www.oaklandca.gov/boards-commissions/affordable-housing-infrastructure-bond-public-oversight-committee>
- Liaison to the Mayor's Commission on Persons with Disabilities (MCPD): The Commission's last meeting was cancelled and their next meeting is scheduled for March 16th, 2020. For more information on the MCPD, see <https://www.oaklandca.gov/boards-commissions/mayors-commission-on-persons-with-disabilities>
- Open Forum Committee: At an earlier BPAC open forum, it was noted that the wooden ramps at the intersection of Racine St and North St were broken, causing a tripping hazard for pedestrians, especially those with visual impairments. The ramps have now been replaced with concrete and the form to submit complaints was brought up to compliance with the Americans with Disabilities Act because of the comment at Open Forum. All Open Forum comments are tracked here: https://docs.google.com/spreadsheets/d/1vOnDQC83kYuR8rW_ofuDLSTOy0LdRg9otR63Yp0u5Qw/htmlview
- Bicyclist/Pedestrian Police Relations Committee: The committee is working on reviewing bicyclist and pedestrian stops by the Oakland Police Department in Districts 6 and 7. The number of stops has been decreasing in the past few years per the data the committee is using. The committee will be working with other organizations to continue to analyze the data. The next meetings will be March 10th, 2020 and April 7th, 2020.
- Planning Commission Review Committee: The committee's role is to review things going through the Planning Department and Planning Commission like the Downtown Specific Plan. The committee will facilitate twice yearly meetings with Oakland Planning Department staff to learn about upcoming projects. The committee sent a letter with comments on the Downtown Specific Plan and will follow up. They are also reviewing the proposed plan for the Howard Terminal A's Ballpark.
- The 2020 Strategic Plan Taskforce will be presenting later in the meeting.

Item 6. Sidewalk Certification Program

Sarah Fine, Complete Streets Paving & Sidewalk Program Manager, provided an update on the Sidewalk Certification Program, Ordinance # 13549. An item on the program was heard at the Public Works

Committee of City Council on February 11th, 2020 and the agenda report from that item is included in the agenda packet. Fine reviewed the program which she presented on at the January 17th, 2019 BPAC meeting. You can find the minutes including the original presentation slides from that meeting at <https://cao-94612.s3.amazonaws.com/documents/January-2019-BPAC-Minutes.pdf>. Fine also provided an update from the Public Works Committee meeting during which an Oakland City Councilmember requested a 90-day moratorium on the program. You can find more information on the Public Works Committee meeting including a video of the meeting at <https://oakland.legistar.com/MeetingDetail.aspx?ID=760456&GUID=1A6D3D89-E0AE-4710-AD87-2A7E916786E8&Options=info&Search>. You can read the FAQ on the certification at <https://www.oaklandca.gov/resources/sidewalk-certification-faq>. Fine showed two presentations, both of which are attached.

Summary of Discussion:

- It is California State Law that property owners repair the sidewalk adjacent to their property except when the damage is the result of a City owned tree.
- OakDOT maintains an inventory of all the *reported* locations of sidewalk damage, but not every incident of sidewalk damage is reported.
- When the City is paving a street, they offer to repair the sidewalks at the owner's expense.
- There is a low-income repair program that will do sidewalk repairs for low-income homeowners for free. This program is often used during paving projects. It is the first program of its kind to address the costs of repairs for low-income homeowners.
- Robert Prinz and Chair Naylor supported the program during the Public Works Committee meeting. About two dozen people on behalf of realtors spoke against the ordinance during the Public Works Committee meeting.
- The BPAC and the Mayor's Commission on People with Disabilities should speak in favor of the ordinance.
- One of the complaints of the realtors was that it takes too long for the City to say whether a tree was a City owned tree or not. Fine noted that there is a reliable timeline for the City to confirm whether a tree is City owned or not.
- There is a list of contractors who can repair sidewalks at <https://www.oaklandca.gov/resources/hiring-a-contractor-to-repair-your-sidewalk>
- The Councilmembers did not ask OakDOT staff what the impacts of a 90-day moratorium would be nor did they make specific requests for what aspects of the program should change during the moratorium.
- Fine suggested that a 90-day moratorium on the program would be more confusing for realtors.
- There were no motions made at the Public Works Committee meeting and the 90-day moratorium was not mandated.
- The informational item is not expected to go to the full City Council.
- In the report from a 2006 sidewalk survey, 16% of sidewalks are non-compliant. Noncompliant is defined by a ¼ inch uplift.
- It will likely cost around ~\$3,000-5,000 to repair the sidewalk, although costs are higher for corner lots because they must also upgrade curb ramps to comply with American with Disability Act requirements.
- Currently, this ordinance only applies to parcels adjacent to non-compliant sidewalks and does not apply to parcels where there is no adjacent sidewalk.
- The ordinance applies to both commercial and residential properties. Commercial properties often have sidewalk basements making them difficult to repair.

- An option to partially subsidize sidewalk repairs for homeowners just above the low-income threshold was suggested.
- OakDOT staff has done a good faith effort to work with realtors and the BPAC should work to speak up on the needs of people with disabilities and other pedestrians.
- There was an option added to the program which allows homeowners to apply for a 90-day extension. The 90-day provisional option was added within a month of implementation of the program.
- The BPAC motioned to support the proposal at the January 17th, 2019 meeting.
- Commissioners were encouraged to reach out to their assigned councilmember if such councilmember is on the Public Works Commission in support of the ordinance.

→ A motion to ***formally oppose any moratorium on the Sidewalk Certification Program***, was made (Parreiras), seconded (Gardner), and passed with all commissioners voting in favor.

Speakers other than commissioners: Robert Prinz, Midori Tabata, Kenya Wheeler, Chris Sanders

Item 7. Biannual Report from Strategic Planning

The presenter for this item was unable to attend the meeting. The item was cancelled and will be rescheduled for a later date.

Item 8. Strategic Plan Task Force Report Back

A Strategic Plan Task Force was created at the January Special Meeting to fill out the BPAC 2020 Strategic Plan. Commissioner Jones led the commission in a review and discussion of the draft strategic plan. Jones noted the taskforce will bring a final draft of the 2020 Strategic Plan to the next BPAC meeting. The presentation and handout provided at the meeting are attached.

Summary of Discussion:

- Task 1.1 (Review the 2020 adopted Council Legislative agenda and determine items relevant to BPAC) should be revised to review the 2021 Council Legislative agenda rather than the 2020 Council Legislative agenda so that input can be made early in the process.
 1. There will be an OakDOT specific legislative agenda which OakDOT Intergovernmental Affairs and Policy Director Nicole Ferrara is working on. The Legislative Committee will look into it.
- In regards to Task 1.a (Share BPAC Strategic Goals and provide updates on specific BPAC efforts with Councilmembers.), each BPAC commissioner should develop their relationship with their assigned councilmember by sending the 2020 BPAC Strategic Plan to them.
- The bullet under Task 2.1 (Discuss the need for evaluation in conversation with OAKDOT staff.) should become a task under Goal 1 (Provide legislative and policy recommendations to City Council.). The task should be to create an evaluation policy and get it adopted by OakDOT staff.
 1. OakDOT's Bicycle & Pedestrian Program Manager, Jason Patton noted that staff would like to evaluate projects, but it would necessitate spending more time on a given project and accomplishing less projects overall.
- It has been difficult to get follow up and track what happens to projects after feedback is given. Infrastructure Committee will work on tracking the information they do have.
- Kenya Wheeler, previous chair to the commission, said he would work with Robert Prinz to note this in the Chair's 2019 Annual Report as well as specific problems related to project information like staff turnover or design issues.

- Task 2.a (Get status update on Bike Plan every three months.) should also include status updates on the Pedestrian Plan every three months.
 1. That could be too frequent a timeline for OakDOT staff to report on meaningful development.
- A task under Goal 3: (Prioritize community engagement and BPAC's role as a liaison between the public and the City.) should be to ask the City for more support for the BPAC including travel and meal stipends.
- Commissioners should email Commissioner Jones with any further suggestions and the taskforce will bring a revised 2020 BPAC Strategic Plan to the March BPAC meeting.
- The finalized strategic plan should be included at the end of every BPAC agenda.

Speakers other than commissioners: Midori Tabata, Jason Patton, Kenya Wheeler, Robert Prinz

Item 9. Three-month look-ahead, suggestions for meeting topics, announcements

To see all upcoming and suggested items, go to

https://docs.google.com/spreadsheets/d/1PmvGuKNg3lBspg7WwnqB7_MaQumB6BCpA_7Sbvuf8Q8/edit#gid=887965657

Suggestions for meeting topics

- Telegraph Ave and Foothill Rapid Response as examples of presentations on post construction evaluation
- Commissioner Yee: an item on a potential BPAC Blog should be scheduled for the March meeting
- Jason Patton: Biannual Report from Strategic Planning should be rescheduled
- Commissioner Gardner: Foothill rapid response follow-up
 - Midori Tabata commented that the community did not think what was done was enough.
 - A traffic signal will be installed as well as a Rectangular Rapid Flashing Beacon.
- Chair Naylor: Safe Routes to School

→ A motion to ***extend the meeting by ten minutes***, was made (Mangrum), seconded (Schader), and passed with all commissioners voting in favor

Announcements

- Commissioner Burnette: The 90th Ave cleanup is usually the 3rd Saturday of the month from 10am-12pm except this month when it is Saturday, February 22nd.
- Commissioners Burnette, Schader, and Naylor attended school safety meetings at Markham Elementary and Elmhurst Middle School. There are many traffic safety issues around schools. There was a tragic crash in front of Elmhurst Elementary.
- Commissioner Gardner: 7pm on March 10th, 2020 at the FM Smith Rec Center, there will be a meeting held by the Cleveland Heights Neighborhood Association about the upcoming project on Lower Park Boulevard and other neighborhood traffic issues.
- Noel Pond-Danchik: The City recently migrated to a new email platform and in the transition, some number of BPAC subscribers were lost. Subscribers to the OakDOT Bicyclist & Pedestrian section's other two lists, the Oakland Bicycling News list and the Bicyclist & Pedestrian Announcements list were also lost. Even if you have already signed up, please sign up again and spread the word. Go to tinyurl.com/signupBPAC to sign up.

Meeting adjourned at 8:13 pm.

Minutes recorded by Noel Pond-Danchik, Pedestrian Program Coordinator, emailed to meeting attendees for review on February 26, 2020 with comments requested by 5pm, Wednesday, March 11th, 2020 to NPond-Danchik@oaklandca.gov. Revised minutes will be attached to the June 2020 meeting agenda and considered for adoption at that meeting.

MEETING NOTICE

City of Oakland Bicycle/Pedestrian Advisory Committee (BPAC)

Thursday, February 16, 1995

4:00 - 5:30 p.m.

City of Oakland - Office of Public Works

1333 Broadway (at City Center/12 Street BART)

Traffic Engineering Division, Suite 230

RECEIVED
FEB 10 1995
TRAFFIC ENGINEERING
& PARKING DIV.

Agenda

✓1. Welcome and Introduction of Members* -- Shanna O'Hare

- Volunteer Needed to Take Minutes

✓2. Overview of Committee's Role* -- Shanna O'Hare

✓3. Overview of General Plan Transportation Element Update** -- Peter Eakland

✓4. Upcoming Grant Opportunities* -- Shanna O'Hare

- AB 434 Regional Competitive Funds (FY 95-6) - Due July, 1995 *(biennial)*
- Transportation Enhancement (FY 96-7 & 97-8) - Due August, 1995 *thru ISTEA (bi-ennial)*
- TDA Article 3 (FY 96-7) - Due November, 1995 - *annual*
- Others? *→ good year get \$1,000,000*

✓5. Plans for Bike-To-Work Week* -- Kathryn Hughes *5/4/95 3/16/95 330*

✓6. Request for Assistance to Implement Downtown Bicycle Parking Program* -- Kathryn Hughes *\$25,000*

✓7. Selection of At-Large BPAC Representative* -- All *one year...*

8. Schedule Next Meeting, Appoint Ad Hoc Chair, Set Agenda -- All
Suggested Topic: *@ O.P.B.*

- Role of City Departments vis-a-vis bike and pedestrian issues

*Attachment

**Handout at meeting

*Bicycle parking is available at either the City Center Garage near the Plaza entrance,
or in racks at the rear entrance of 505-14th Street*

DISTRIBUTION: **City of Oakland:** Shanna O'Hare, Mike Vecchio, Kathryn Hughes, Peter Eakland, Kerry Ricketts, Captain Michael Meyers; **REBAC:** Alex Zuckermann, **EBBC:** Robert Raburn, **OUSD:** Michael Schafer

January 24, 1994
Fruitvale Community Meeting

Oakland City Council
Public Works and Public Safety Committees

RE: Neighborhood Traffic Control Plans

In 1939 the California State Legislature abolished the 20-mile speed limit zone, making the 25-mile speed limit applicable in all of the former 20-mile zones. The following year, an American Automobile Association study of pedestrian traffic fatalities in 30 cities noted the result of increasing automobile speeds—a 40 percent increase in deaths over a seven-year period. A child hit by a car at 20-miles per hour has a ten-times greater chance of survival than if hit at 30-miles per hour. We have had to tolerate such speed-related vehicular threats to the pedestrians and bicyclists in our neighborhoods ever since. Because the *East Bay Bicycle Coalition* promotes bicycling as an everyday means of transportation and recreation, we applaud these community meetings to achieve neighborhood traffic calming.

Through our ongoing Hazard Elimination program we have gathered information on roadway hazards to bicyclists and worked with the appropriate city departments to correct such problems. We hope for continued cooperation with Oakland officials, and I request anyone in this room who is aware of specific bicycle hazards to fill out one of our forms.

Our group has also recently completed a draft map of bicycle transportation in the East Bay, an update to an earlier commute map published in 1986. We wish to share our considerable mapping efforts with the Office of Public Works in designing a bike ways plan for city streets. The 1992 Oakland Strategic Plan, "Sharing the Vision," specifically calls for the *EBBC* to engage in cooperative efforts with city departments to encourage greater bicycle transit. We are ready.

We recognize the enormous task of planning for livable neighborhoods. Our membership is familiar with a variety of bicycle friendly traffic control methods as practiced throughout the world. Perhaps the best way to assure continuous public input regarding bicycle transportation would be to establish a permanent Bicycle Advisory Committee in the City of Oakland. Our model charter for establishing an Advisory Committee is presently being reviewed in other East Bay communities and is now available for consideration by the City of Oakland.

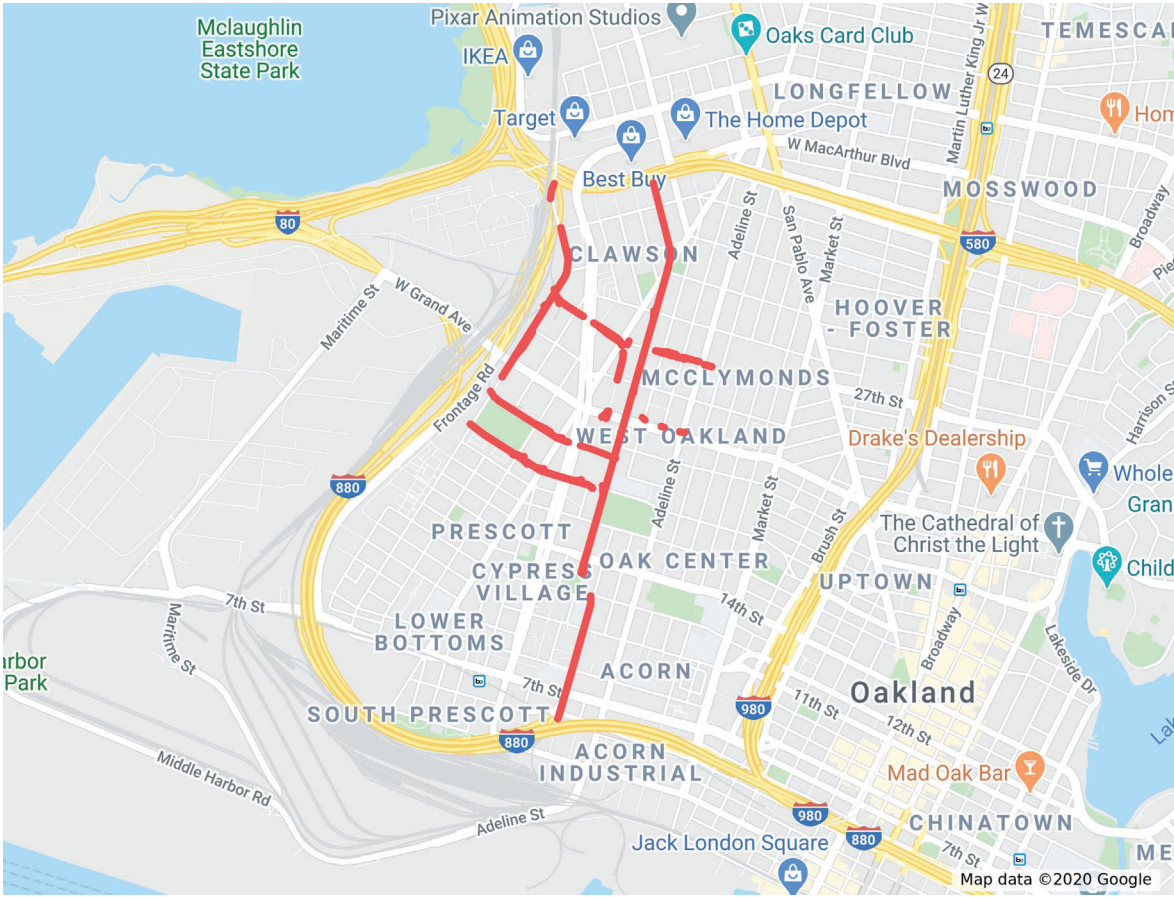
Sincerely,

















Robert Raburn, Ph.D.
EBBC Chair

West Oakland abandoned train tracks

W Oakland abandoned train tracks

- 18th Street
- 18th Street spur
- 18th Street spur
- 18th Street spur
- 18th Street spur
- 18th Street spur
- 20th Street
- 20th Street
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- Beach Street
- Kirkham Street
- Kirkham Street
- Kirkham Street
- Kirkham Street spur



-  Louise Street
 -  Poplar Street
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 -  Poplar Street spur
 -  Poplar Street spur
 -  Poplar Street spur
 -  Poplar Street spur
 -  Union Street
 -  Union Street spur
 -  W Grand Ave
 -  W Grand Ave
 -  Wood Street
 -  Wood Street spur
 -  Wood Street spur
 -  Wood Street spur
-

Addressing Oakland's **Broken Sidewalks**

City Council
June 18, 2019



City of
Oakland

Department of
Transportation



Broken Sidewalks Are A Problem

Broken and damaged sidewalks are a citywide issue impacting **accessibility** and **neighborhood quality of life**.



More Things You Already Know

Broken sidewalks

- Can create barriers to access
- Can create trip hazards
- Can lead to trip and fall incidents
- Can lead to claims and lawsuits
- Can lead to payouts



Things Not Everyone Knows

Per state law, **property owners** are responsible for repairing areas of sidewalk damage.

*Responsibility of
property owners*

*Except when
damage from
official City trees*



More Things Not Everyone Knows

85%

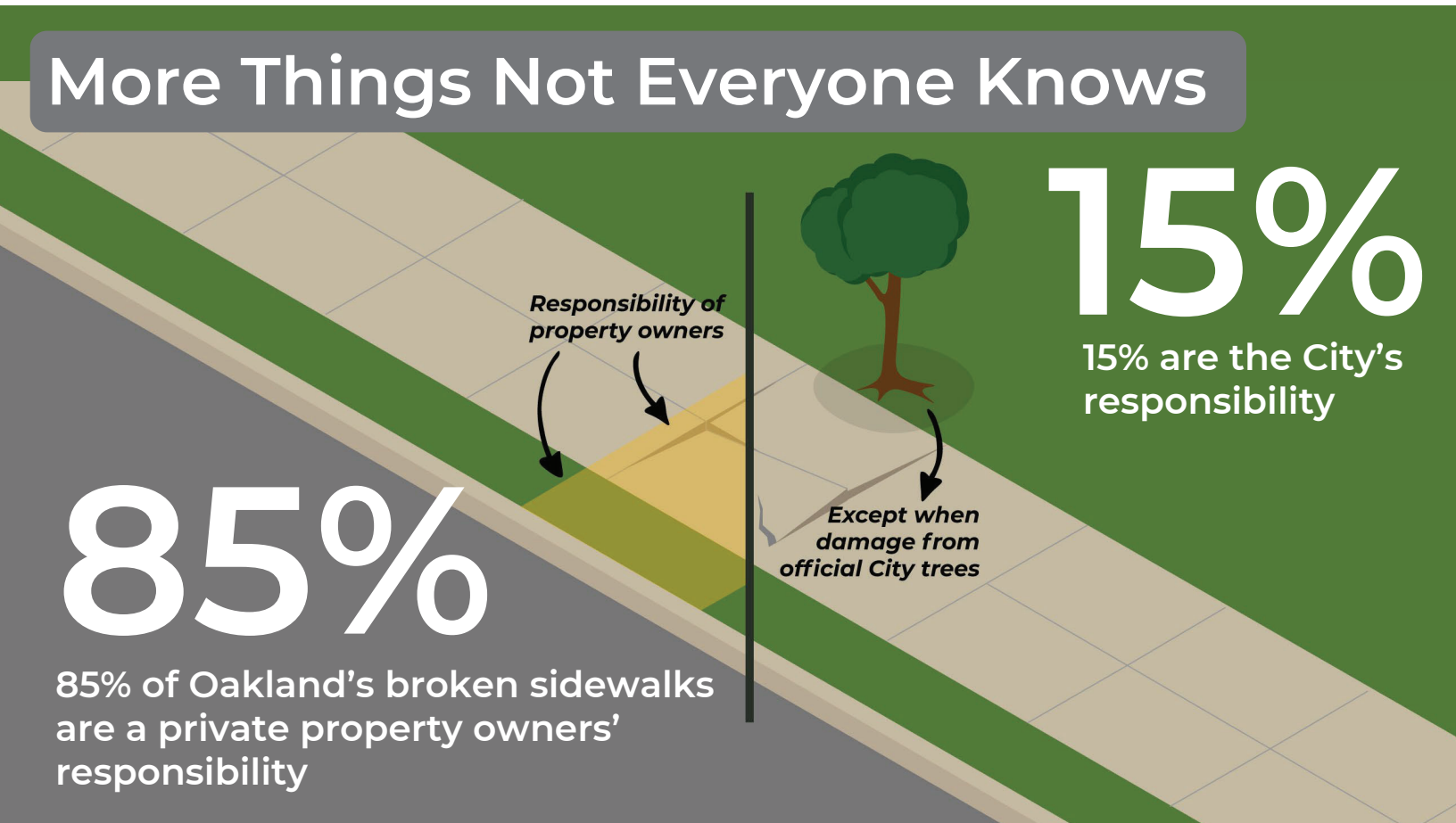
85% of Oakland's broken sidewalks are a private property owners' responsibility

Responsibility of property owners

Except when damage from official City trees

15%

15% are the City's responsibility

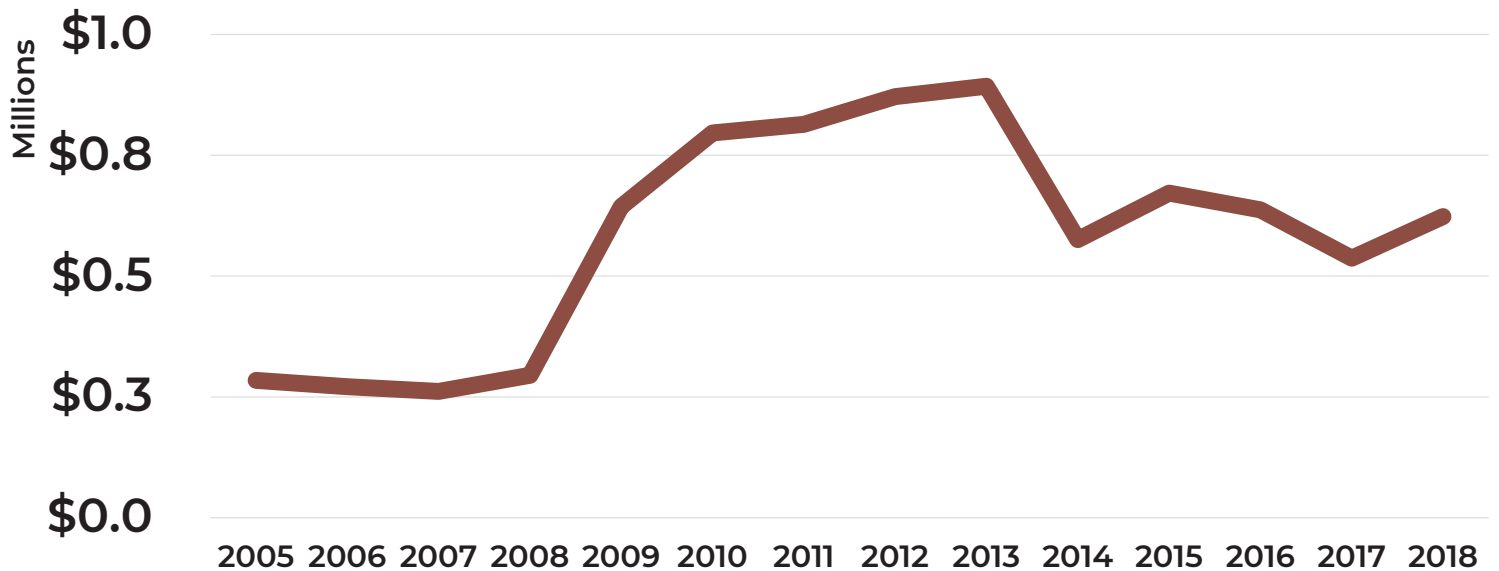


Cost of Broken Sidewalks

Key Finding:

- In the past ten years, average annual settlements for trip-and-fall claims and lawsuits in Oakland has increased 100%.

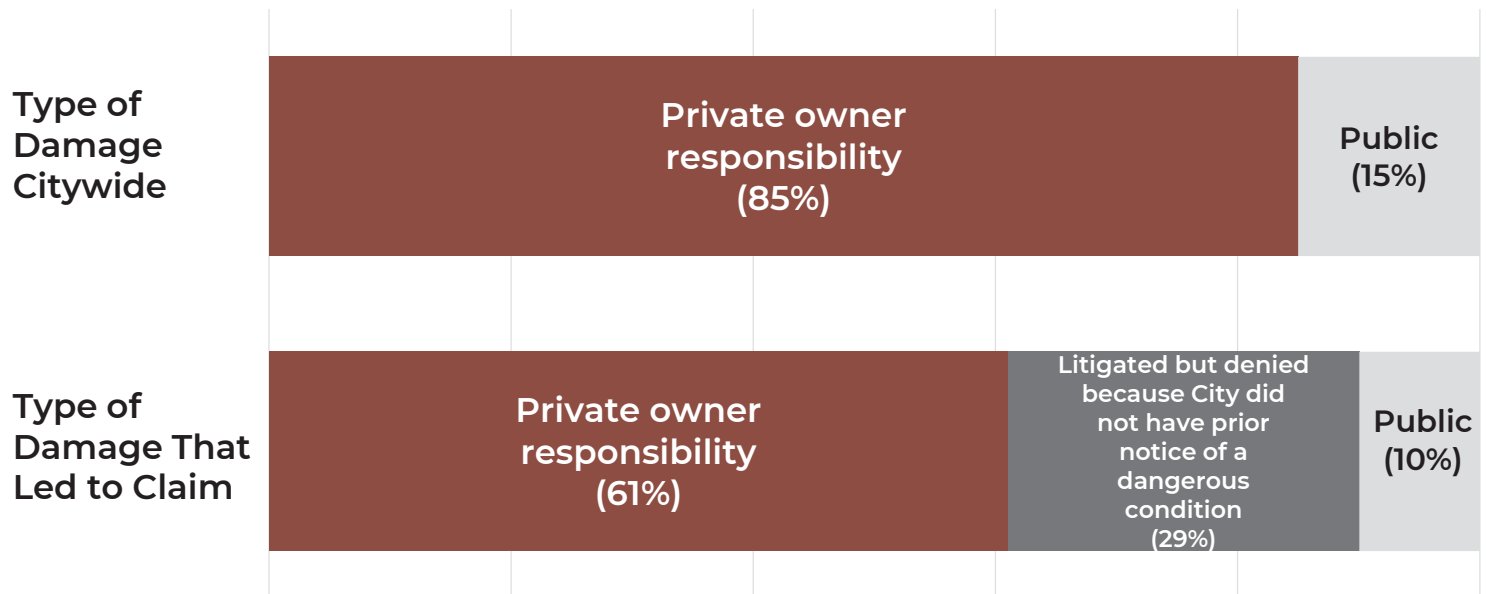
Annual Total Settlements, Rolling 5-Year Average



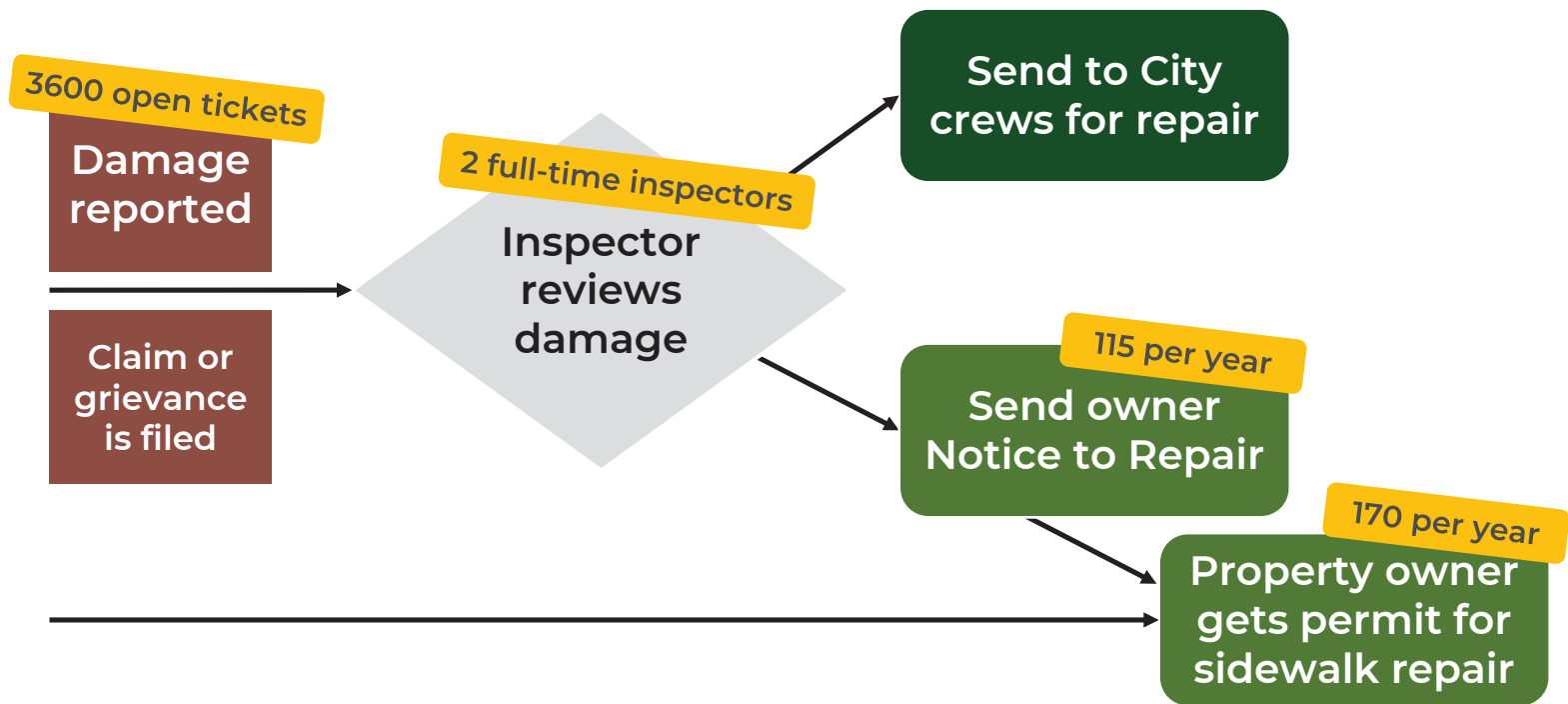
What Type of Damage?

Key Finding:

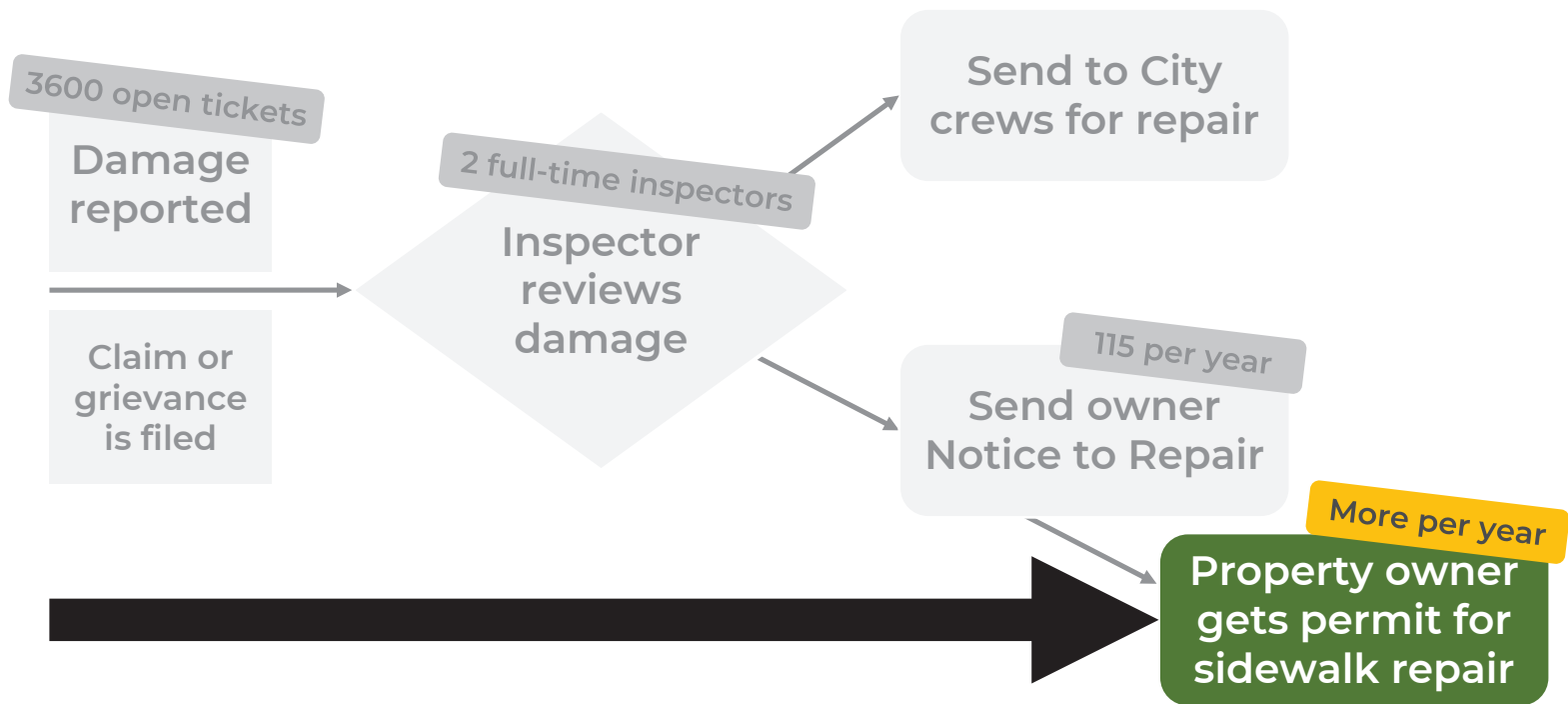
- The majority of damage is private owner responsibility.
- The majority of claims stem from private damage.



How Does A Sidewalk Get Fixed?

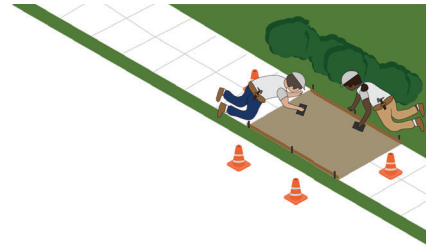


How Could More Sidewalks Get Fixed?



Buy/Sell/Repair

Proposal 1



Main Idea:

Require sidewalks be repaired before a title transfer can be completed.

Precedent:

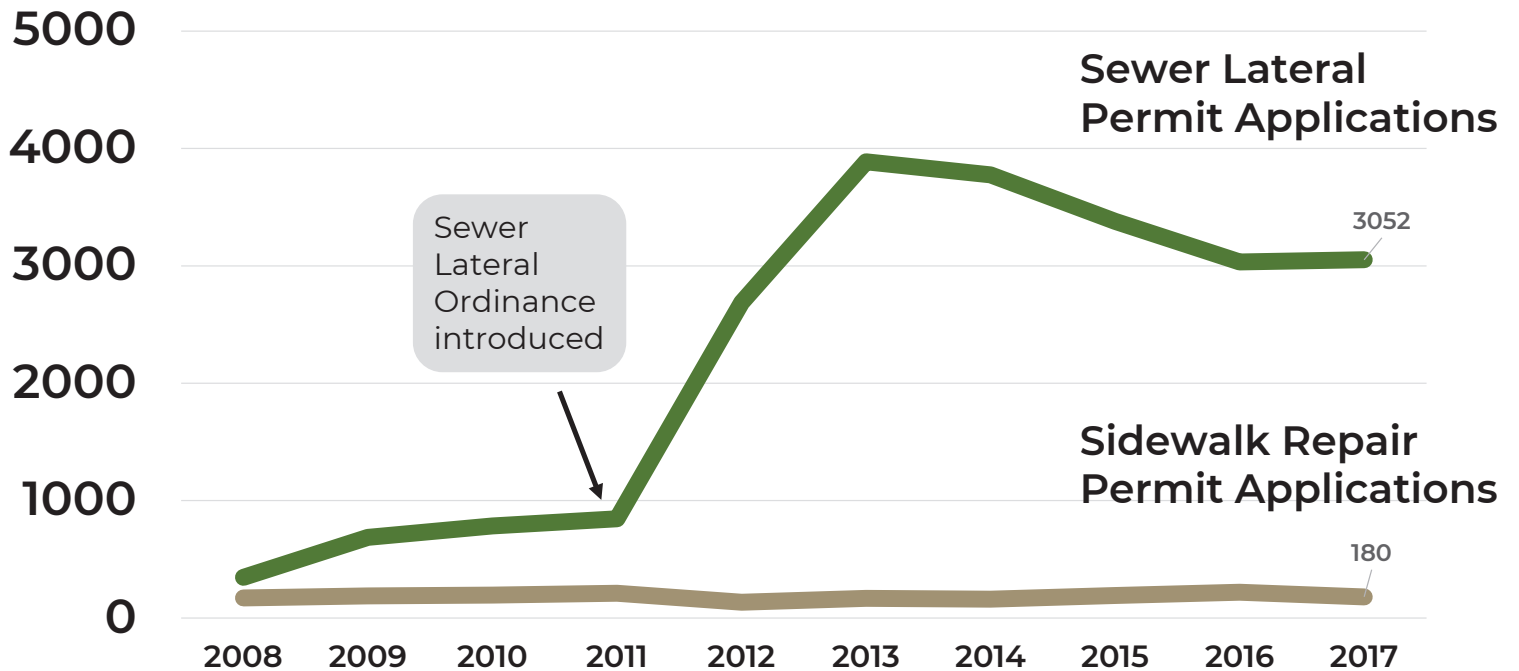
2011 Private Sewer Lateral Ordinance

Buy/Sell/Repair

Proposal 1

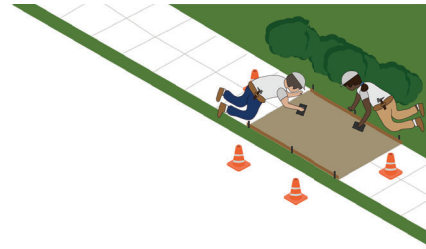
Key Finding:

- After Oakland's sewer lateral ordinance was introduced in 2011, sewer lateral permits tripled.



Private Repairs & Paving

Proposal 2



Main Idea:

Add private damage repairs to paving projects through reimbursement agreements with property owners.

Precedent:

Combined paving & sidewalk repair on Euclid Avenue & Congress Avenue

Private Repairs & Paving

Proposal 2



Private Repairs & Paving

Proposal 2

Key Finding:

- Average of 30 NTRs per paving mile

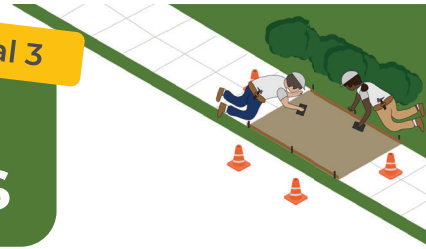
	2018 Pilot	2019 Estimate
Paving Miles	1	10
Notices to Repair	33	300
Private Damage Repairs	3733 sf	36,000 sf

No-Cost Sidewalk Repair for Low-Income Property Owners

Proposal 3

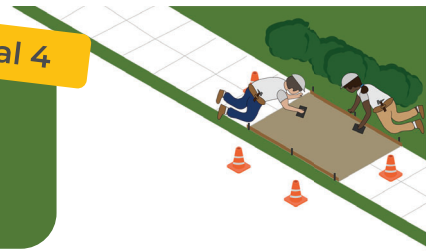
Main Idea:

City performs sidewalk repairs at no cost to qualifying low-income property owners.



Limited-Time Permit Fee Waiver

Proposal 4

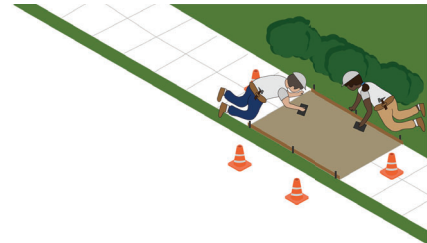


Main Idea:

3-month waiver of all permit and administrative fees for sidewalk repair permits to encourage voluntary property owner repairs.

Permit Fee Waivers

Proposals 3 & 4

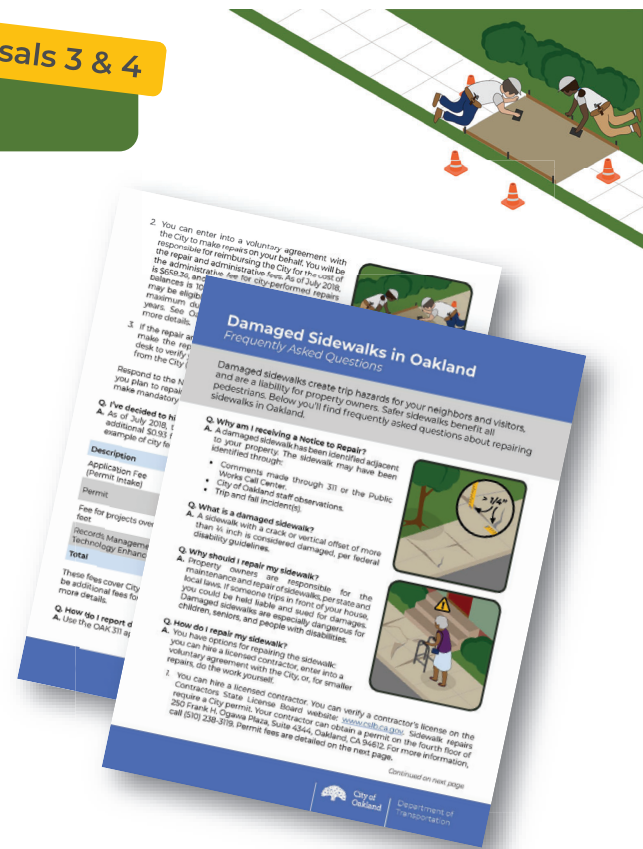


Fee		Ex: 250 sf Repair
Application Fee	\$70.00	\$70.00
Permit Fee	\$343.35	\$343.35
Fee for projects over 200 sf	\$0.93 per sf over 200 sf	\$46.50
Records Management & Technology Enhancement Fee	14.75% sum of previous fees	\$67.83
Total		\$527.68

Permit Fee Waivers

Proposals 3 & 4

Publicize waiver program through randomized direct mailing to 10% of Oakland property owners



Sidewalk Liability Ordinance

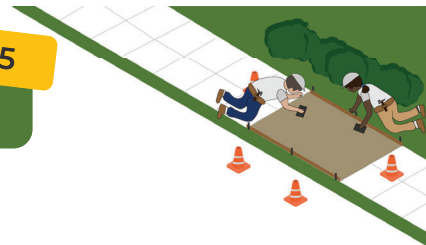
Proposal 5

Main Idea:

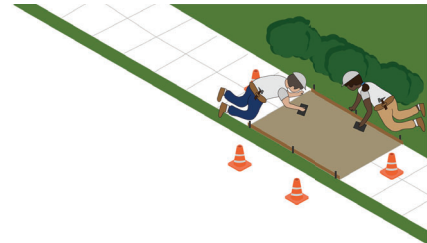
Add language to Oakland Municipal Code that reduces City liability related to private damage.

Precedent:

San Francisco, Emeryville, Concord, Larkspur, Albany, Lodi, Sacramento, Vacaville, Pinole, Richmond, Tiburon, Mill Valley, Sausalito, Fairfax, Novato, Lafayette, Orinda, Gilroy, Walnut Creek, San Pablo, Pleasant Hill.



Impact of Proposals



Proposal	Private Repair Permits	Notices to Repair	Private Damage Repairs	Reduce City Liability
<i>Current Annual Average</i>	<i>170</i>	<i>115</i>	<i>20,000 sf</i>	
Buy/Sell/Repair	700	-	84,000 sf	Yes
Private Repairs & Paving	-	300	36,000 sf	Yes
Hardship Program	-	-	-	Yes
Limited-Time Fee Waiver	-	-	-	Yes
Sidewalk Liability Ordinance	-	-	-	Yes
Potential increase	+700	+300	+120,000 sf	



Thank you!

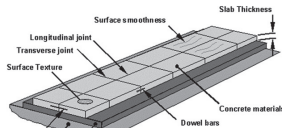
Sarah Fine

Complete Streets Paving & Sidewalks
Oakland Department of Transportation
sfine@oaklandca.gov



Sidewalk Certification Program

Ordinance #13549



Feb 10, 2020

Sidewalks must be part of Oakland's infrastructure renaissance

Poorly Maintained Sidewalks

- Barriers to Access
- Safety problem
 - Create hazards
 - Lead to incidents
- Liability issue
 - Lead to claims
 - Payouts



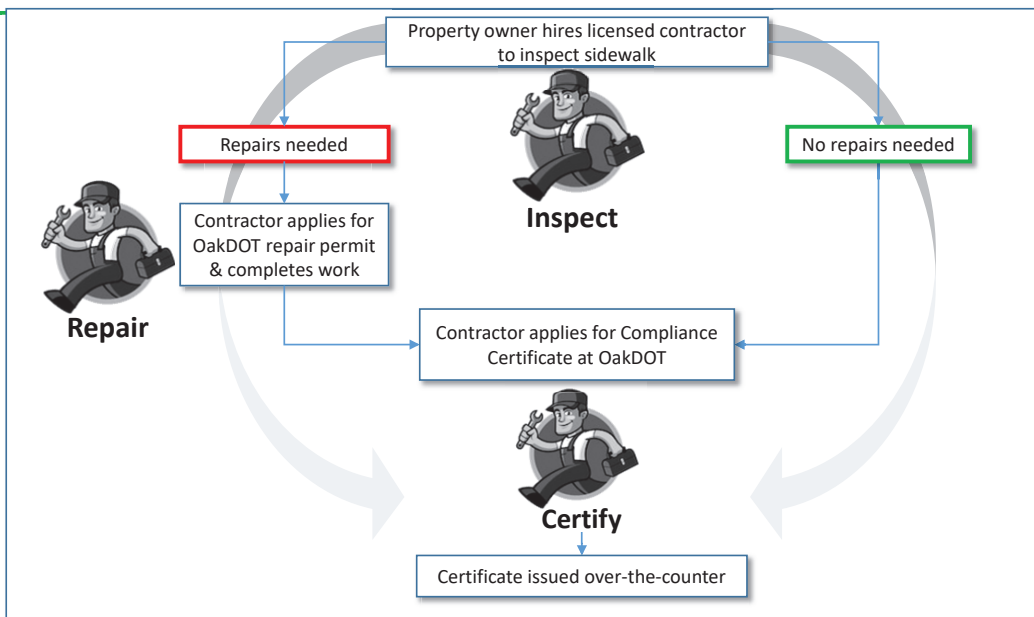
Sidewalk Repair Program

Jul FY20 - four bills

- Sidewalk liability
- Low-income sidewalk repair
- Sidewalk permit fee waiver
- Sidewalk Certification



Sidewalk Certification: process overview



When is Sidewalk Certification required?



- 1 Before first close of escrow on the sale of a home



- 2 Upon permitting a property renovation with value > \$100,000

Outreach began before passage and continues today

Realtors

- Received early notice that the ordinance was coming (February 2019)
- OakDOT presented to AOR on the subject of Sidewalk Certification
- Proposed, and OakDOT adopted, contractor certification of sidewalks—before the ordinance became law

Title Companies

- A mailing went out to every title company in the Oakland area

Residents

- Ten thousand postcards were mailed to Oakland residents

Contractors

- Letters were sent to hundreds of Oakland contractors (February 2020)
 - Reminding them about the business opportunity represented by the Ordinance
- Information:
 - Contractor licensing
 - Oakland business tax



Creative approach to implementing the Ordinance

- | | | |
|-----------------------|---|--|
| 1. CGS Permit process | ➡ | <ul style="list-style-type: none">• Leveraged the existing Curb, Gutter & Sidewalk permit/SOP |
| 2. Custom permit text | ➡ | <ul style="list-style-type: none">• The signed OakDOT permit, with custom text in the Description of Work field, serves as the <i>Compliance Certificate</i> |
| 3. Accela database | ➡ | <ul style="list-style-type: none">• Applications, invoices, support materials, and certificate copies all live in <i>Accela</i>: searchable by address, parcel, owner, contractor number, etc.; accessible by P&B, OPW, and other stakeholders |
-



From the start—committed to improving the program while we implement it

1

Some suggestions came from industry. For example, we changed our standard approach to inspections.



Normal sidewalk repair

- OakDOT Pre-inspection
- OakDOT Closeout-inspection

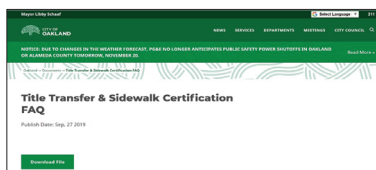


Sidewalk Certification

- Licensed contractor certifies the sidewalk
- No city inspections, and no scheduling delays

2

We collected answers to important questions in an FAQ document; posted to OakDOT website



<https://www.oaklandca.gov/documents/title-transfer-sidewalk-certification-faq-2-1>

- First posted Jul 17th, one week into the program
- Last updated Nov 22nd
- Valuable resource for owners, realtors, and OakDOT staff

3

Within two weeks of program launch, we created a second Compliance Certificate

1
Standard
Compliance
Certificate



2
Provisional
Compliance
Certificate

- Provided owners 90 days of grace re certification obligation; allowed sales already in escrow to proceed

From the start—committed to improving the program while we implement it [cont'd]

4

We expanded the universe of certification-eligible contractors



Original ordinance

- A, B, C-8 contractor licensees



Post-revision

- Added sewer lateral contractors; C-42 & C-57
- Your sewer lateral contractor can repair and certify your sidewalk

5

We made the Provisional certificate option permanent and adjusted effective dates



- Provisionals originally valid for 90 days from date of passage [Jul 9th]
- Revised to 90 days from date of issue
- Any property owner can have certification waived for 90 days

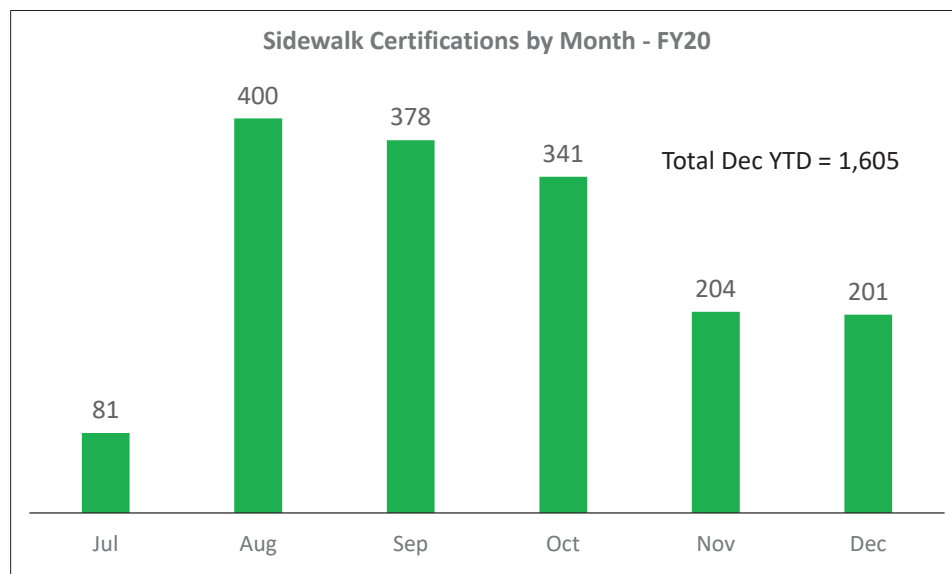
6

We document key certification processes in a staff handbook, and we update it frequently



- Critical resource for Permit Counter staff
- Promotes consistent administration of the certification program
- Updated as needed

Sidewalk Certification has become OakDOT's largest permit category

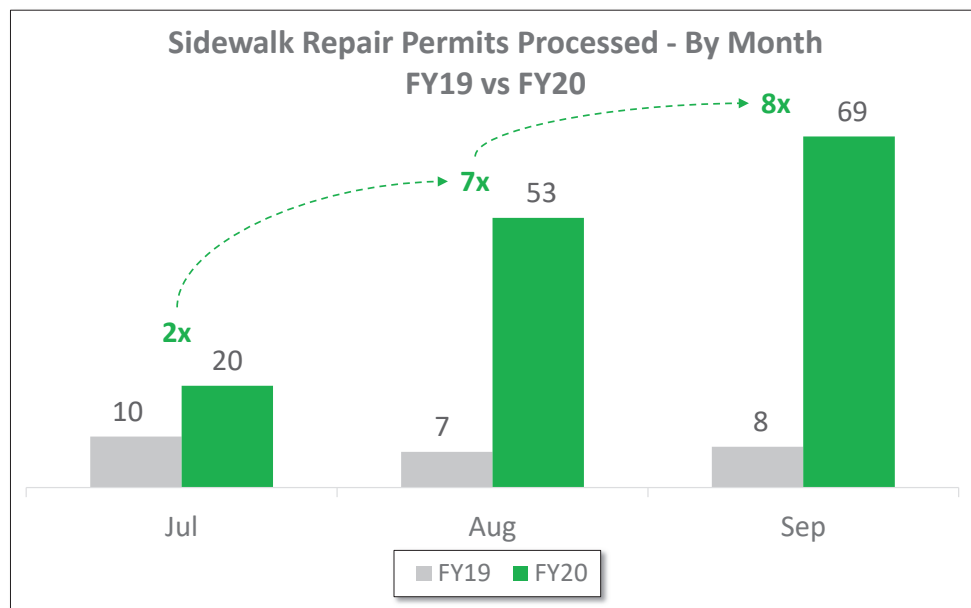


Note:

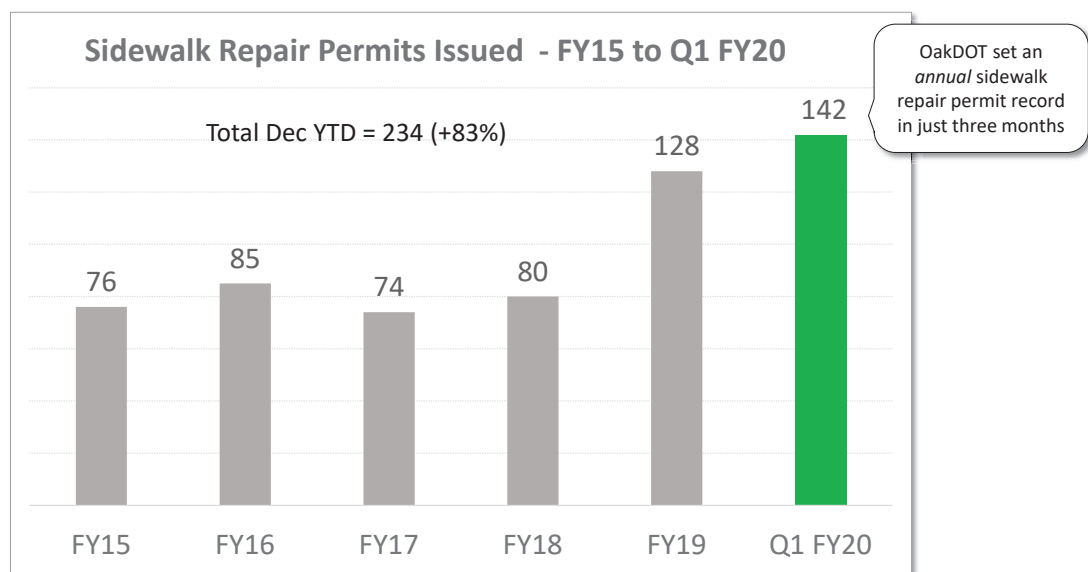
- Month-to-month changes are consistent with seasonal pattern of RE sales



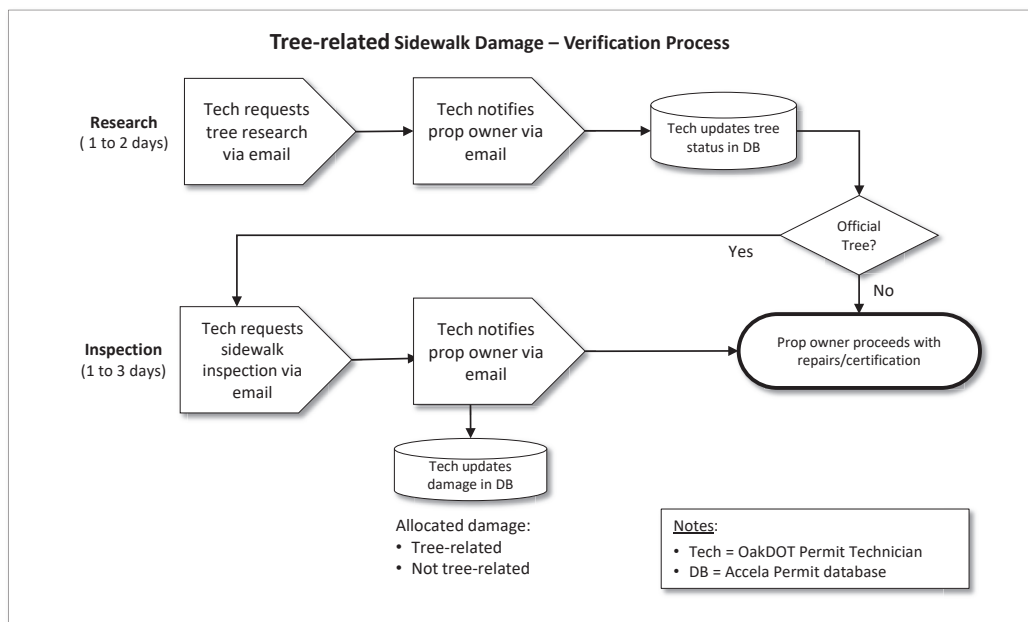
We are getting the safety and access benefits we wanted—Sidewalk repairs are up



In just three months, we set an *annual* record for sidewalk repairs



Solution—A streamlined process for assessing tree-related damage



Solution—Growing the pool of eligible contractors

- Growing awareness; esp. minority & independent contractors
 - January 16th meeting with labor advocate Mr. Eddie Dillard
 - Direct mailing to Oakland-based contractors
- Promoting contractor services to customers
 - Find lawful solution for promoting contractor services to customers
- Encouraging Realtor/Contractor Partnerships
 - Cooperative relationships with contractors would get their clients the attention and service they need to comply with the Ordinance
- Making OakDOT inspector time available for sidewalk certification
 - Process developed for no-repair sidewalks; awaiting staff levels
 - Staffing levels must increase first



Administering the program while streamlining processes is *The Oakland Way*



1. A worthy, important cause:
Promoting Safety & Ensuring Access
2. Our duty, as stewards of the public right of way
3. Pressing *Pause* is quitting

Resources

- Informative sidewalk repair Twitter thread
<https://tinyurl.com/OakDOTSdwThrd>
- Hiring a contractor <https://t.co/302clX7FSX>
- Sidewalk Certification FAQ
<https://www.oaklandca.gov/resources/sidewalk-certification-faq>



Commissioner's Personal Goals from Strategic Plan Work Session

- How to best help the commission
- Help push the City to the extent possible to make protected spaces for bikes and pedestrians the norm
- Create a safer, more equitable place for cyclists and pedestrians in East Oakland
- Improve bicyclist and pedestrian access in East Oakland
- Improve relationships with the Oakland Police Department and the community
- More community engagement and engagement with City Council
- Follow up on input most effectively
- Focus on safety for youth and children
- Be a good administrator/facilitator
- Make sure there's enough time to get meaningful input from commissioners and community
- Bring out the diverse strengths of the commissioners

BPAC Strategic Plan - 2020

Goal Reorganization – Action Statement

Goal 1 – Legislative and Policy

- Goal 1: Provide legislative and policy recommendations to City Council.

Goal 2 – Project Input and Delivery

- Goal 2: Ensure meaningful input on OAKDOT project development with clear avenues for follow-up review and implementation evaluation.

Goal 3 – Community Engagement

- Goal 3: Prioritize community engagement and BPAC's role as a liaison between the public and the City.

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Goal 1

Goal 2

Goal 3

Tasks

Specific Tasks – tasks with clear action and deadline

Ongoing Tasks – tasks with broader emphasis and continuous effort

Tasks – Goal 1

Goal 1: Provide legislative and policy recommendations to City Council.					
Task	Task Description	Committee Assigned	Commissioner Assigned	Progress	Issues/Barriers/Notes
Specific Tasks					
1.1	Review the 2020 adopted Council Legislative agenda and determine items relevant to BPAC	Legislative			
1.2	Prepare and present an "Introduction to BPAC" including a review of Strategic Goals to Public Works Committee		Chair/Vice-Chair		
1.3	Finalize safety prioritization legislation for Council	Legislative			
1.4	Draft proposed legislation on school zone speed limit authority	Legislative			
1.5	Review and make recommendations regarding city schedule for parking and moving violations	Legislative			
1.6	Analyze stop and detention data involving cyclists and discuss with stakeholders such as OPD, Dept of Race and Equity and relevant community organizations.	Police Relations			
1.7	Advocate with OPD to use alternative parking rather than 90th Ave Scraper Bike path	Police Relations			
Ongoing Tasks					
1.a	Share BPAC Strategic Goals and provide updates on specific BPAC efforts with Councilmembers.		Parreiras - D 1 Gardner/Campbell - D 2 Yee- D 3 Naylor - D 4 Mangrum - D5 Burnette - D 6 Shader -D 7 Jones - At-large		
1.b	Monitor statewide legislation and ballot measures impacting biking and walking and make recommendations for City support or opposition	Legislative			

BPAC Strategic Plan - 2020

Tasks – Goal 2

Goal 2: Ensure meaningful input on OAKDOT project development with clear avenues for follow-up review and implementation evaluation.					
Task	Task Description		Commissioner Assigned	Progress	Issues/Barriers
Specific Tasks					
2.1	BPAC Commissioners would like OAKDOT to create tools to evaluate the success of implemented projects as a means of gathering data to improve streetscape design and communicate effectiveness to the public. To facilitate this, BPAC will: - Invite project managers to present on projects post-construction. Select two projects to have a presentation on before June (potentially Telegraph Avenue and Foothill Avenue rapid response fix). - Discuss the need for evaluation in conversation with OAKDOT staff.				
2.2	Follow up with project manager for each OAKDOT project that is presented to BPAC within 3 months of presentation to determine if feedback was incorporated.		This could be a rotating assignment		Examples, Market & Adeline, 20th St downtown
2.3	Prioritize safety needs in East Oakland.		Burnette & Shader		
2.4	Develop guidelines for building out bike plan.	Infrastructure Committee		Jason Patton is lead. Infrastructure Committee will play role of task force for project. Process at February 6 meeting.	
2.5	Follow up with Planning staff and Planning Commission on BPAC Downtown Specific Plan input.	Planning Commission Review Committee			

Tasks – Goal 2

Ongoing Tasks					
2.a	Get status update on Bike Plan every three months.		Chair/Vice-Chair		
2.b	Work with OakDOT staff and other departments for BPAC to have opportunity to review and provide input to key projects before they are 35% designed.	Infrastructure Committee			Key projects not brought to BPAC, staff does not accept input, even when provided.
2.c	Create a chart of projects including grant funded projects.		Naylor		
2.d	Invite outside agencies with expertise in transportation project implementation to BPAC meetings.		Chair/Vice-Chair		
2.e	BPAC as a whole prioritize policy and programmatic discussions. Infrastructure Committee focus on project input and project delivery.		Chair/Vice-Chair		
2.f	Get biennial updates on Major Development Project from Planning and highlight the most bike/ped relevant projects for Infrastructure Committee to review and provide comments.	Planning Commission Review Committee			

Tasks – Goal 3

Goal 3: Prioritize community engagement and BPAC's role as a liaison between the public and the City.					
Task	Task Description	Committee Assigned	Commissioner Assigned	Progress	Issues/Barriers/Notes
Specific Tasks					
3.1	Review community engagement protocols used by OakDOT and other transportation agencies.	Legislative			
3.2	Schedule bike ride(s) with OPD and other city of Oakland officials and residents to spotlight biking and walking is valued in Oakland along with safe riding practices.	Police Relations			
3.3	Hold at least one BPAC meeting outside of City Hall.		Chair/Vice Chair	Once BRT is operating look at MLK Library.	
Ongoing Tasks					
3.a	Every commissioner will attend a minimum of two community events (such as bicycle tours, public safety event related to a specific issue or location, neighborhood councils), one in their district, one outside of their district, to promote BPAC or discuss topics related to bicycle and pedestrian issues.		All Commissioners		
3.b	Attend public event for specific project or planning effort related to bicycle and pedestrian issue. At event, initiate conversations with stakeholders and report back to larger Commission or OAKDOT if topic is presented at BPAC meeting.		All Commissioners		
3.c	Monitor OakDOT progress in making information available to the public on current project information and community engagement opportunities / events.	Legislative / Infrastructure			

City of Oakland Bicyclist and Pedestrian Advisory Commission Strategic Plan Goals for 2020

February 2020

For the BPAC Strategic Plan 2020, the work of the BPAC was divided into three general goals, each with a corresponding set of tasks and Commissioner Assignments, as follows:

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