



City of Oakland

Mayor's Commission on Persons with Disabilities (MCPD)
Monday, January 23, 2023 5:30 p.m.-7:30 p.m. via Zoom Conference

Minutes

Commissioners: Cathy Eberhardt (Vice Chair), Noah Smith (Vice Chair), Ayanna Keeton, Leonard Moore, Marjorie Lynne, Kyle O'Malley

Commission staff: Anh Nguyen-ADA Programs Division Manager, Emily Seelenfreund-ADA Programmatic Access Coordinator

Presenters: Andrea Mariano, Facilitator, City of Oakland, Human Resources Management

Other attendees (from webinar Attendee list): Michele Magar, Ofurhe Igbinedion, Gabby, Sheela Gunn-Cushman, Barry Robinson

Meeting called to order by Vice-Chair Eberhardt at 5:33 pm. At roll call, quorum was not established with only five of eight commissioners present (X)

Commissioners		Present
Howard Tevelson (Chair)		
Cathy Eberhardt (Vice Chair)		X
Noah Smith (Vice Chair)		X
Erin Hattersley		
Ayanna Keeton		X
Marjorie Lynne		X
Leonard Moore		X
Kyle O'Malley		X

Open Forum:

Michele Magar asked about the timeline for new commissioners and if the election counts would have to be redone. Anh Nguyen said he was not sure but if it did happen it may delay the appointment of all new commissioners, not just new MCPD commissioners.

No modifications were suggested for the agenda in addition to the change to an informational meeting for lack of quorum.

The 2021 Virtual Meeting Resolution was unofficially re-adopted by Vice Chair Eberhardt due to the lack of quorum.

Commissioner's Announcements and Strategic Plan Updates

- Vice Chair Eberhardt stated that she is pleased with the Equity Working Group that she is part of- so far 30 policies that they have recommended have been adopted in the General Plan and the Working Group has been included in many meetings for input.

The election of new officers was postponed due to the lack of quorum.

2023 Strategic Planning (Exhibit C to Agenda)

The group begins the discussion with Goal Area 4, Action item 4.2- Unhoused Persons with Disabilities.

Vice-Chair Smith raises the point that there is almost no rent-controlled accessible housing because rent-controlled housing is typically older construction not subject to rent-control. He raises the point that the City is actually being sued for this and it would be a good time to push for accessible, rent-controlled housing for persons with disabilities. This problem also contributes to the level of unhoused persons with disabilities.

Vice-Chair Smith states they already have a dialogue with the City Attorney's office and it would be worthwhile to raise this with them.

Vice-Chair Eberhardt raises the point that applications for affordable housing do not ask about disability status or accommodations.

Michele Magar mentions that a barrier to affordable housing is that one must file two distinct applications for every property. She supports recommending the adoption of a universal application. Secondly, the City does have a fund to help people with disabilities at-risk of becoming unhoused make modifications to their home. It would be worthwhile to advertise this fund so more people make use of it.

Sheila Gunn-Cushman states that in Alameda there is an individual who needs a roll-in shower and she qualifies for a certain tax rebate. However- the unit available was not accessible and she was denied access by the developer to the one unit that was. There may be an opportunity to advocate for accessibility in BMR housing.

Regarding the issue of rent-controlled, accessible housing, Vice-Chair Smith recommends MCPD ask for a report from the City Attorney's office. Emily Seelenfreund mentions that the public docket for the pending litigation states that the case is currently in a settlement posture so there might be an opportunity to advocate for a robust settlement.

With regard to the housing modification fund, Michele Magar suggests that action items include advocating for the application to be accessible, readily publicized, and possibly enlarged if needed.

Anh Nguyen states that this program is called the Access Improvement Fund and that both tenants and owners can apply for this funding. Housing and Community Development manages this funding.

The Commission Switches over to discussing Goal 5- focusing on Civil Liberties- which was added on at the end of the last

Michele Magar comments that Governor Newsom's bill enacted last year- states that people who meet certain disability criteria would need to be brought before a Care Courts Judge- the idea being that the person who is subjected to this would be examined by a psychiatrist. A treatment would be established and if it's not followed, the person would be potentially institutionalized. Michelle states that there are some serious civil liberties associated with this.

San Francisco is one of the first counties that must establish this system because they are part of the pilot program. The pilot programs must implement the system this year whereas Alameda County must implement by 2024.

Ideally, we can look over their shoulder to see how they implement it. The Mayor's Office in Sa Francisco has been prioritizing the needs of persons with disabilities in the implementing of the Care Courts. Ideally, we can learn from the system they implement, especially the data they collect. It would also be good to set-up a Care Court diversion program so that

anyone who fears getting brought into this system could contact this program and get support to avoid the Care courts system, even if that support is just a manual or other written resources.

Michelle has also reached out to the judicial council regarding the training that will be given to Care Court judges; it would be ideal for us to push for the training to include perspectives of persons with disabilities.

Commissioner O'Malley mentions that at Care Courts participants are entitled to a legal advocate as well as a support person. It may be worth looking into the training for the advocate and support personnel. Because participants need to attend hearings over a 12-month period, it's important to know what kind of supports will be put in place to help with attendance.

Sheela Gunn-Cushman mentions that we should push for transportation assistance and accessible transportation as requirements for Alameda County's care Court program

Andrea Mariano notes that it sounds like we are heading in the direction of advocating to be a key consultant for Alameda County Care Courts as they develop their program to roll-out in the coming year.

Anh Nguyen notes that opportunities for collaboration should include other cities' commissions on disability- as many other cities besides Oakland have similar commissions- giving Berkeley and Alameda as examples.

Andrea Mariano suggesting adding as an action item to request a copy of the San Francisco Care Courts training. Michelle Magar agrees with this but states that the bigger priority is making sure the training involves persons with psychiatric disabilities.

Commissioner O'Malley mentions Disability Rights California as another potential partner since they are apparently investigating the Care Courts system and may be collecting some data.

Michele Magar also mentions inclusion of the Anti-Police Terror Program- as they have initiated an alternative system for people to call if someone is experiencing a mental-health crisis as an alternative to calling the police. She also notes that it would be good to develop some sort of report to give to Alameda County about MCPD's recommendations regarding Care Courts before they initiate the program in 2024.

Andrea Mariano suggests breaking the tasks for Goal Area 5 into a few buckets of action items to help better divvy up the tasks equitably among the commissioners and Vice-Chair Eberhardt said that sounds like a good idea.

Andrea Mariano wraps up the process by stating that five Goal Areas feels like an ambitious yet doable set of goals for the Commission and recommends MCPD stop there. Vice Chair Eberhardt agrees that this is enough strategic items for the Commission to work on for the upcoming year and there is a sufficient amount of work to get done.

The next steps will be to finalize the individual pieces of the plan. It would also be good to create an executive summary- a 1-pager- that would be slightly easier to digest to share with other groups and stakeholders.

Staff Updates and Announcements and Future Agenda Items:

- Anh Nguyen is still working to fill Karen Denicore's position. It is taking longer than he hoped but he is still working to fill.
- There has been a change in staff at the Mayor's Office but he is working with that office to try and get new commissioner's appointed as soon as possible.
- The Housing element of the general plan update has passed the Planning Commission review. There will be two more public hearings on the housing element upcoming- on January 24th and January 31st.

The meeting was adjourned at 7:06 pm.