

CITY OF OAKLAND



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 Mayor's Commission on Persons with Disabilities
 Howard Tevelson, Chair

94612

Date: April 19, 2022

To: *Chair Loren Taylor, Life Enrichment Committee*
Mayor Libby Schaaf
Edward D. Reiskin, City Administrator

From: Mayor's Commission on Persons with Disabilities (MCPD)

Re: Highlights of Activities of 2021 and 2022 Goals

This informational report provides the Life Enrichment Committee with a listing of the many projects and activities carried out by the MCPD. Along with the ADA Programs Division, these two groups form the basis of a comprehensive government program for inclusion of persons with disabilities (PWD). Few other city governments nationally can claim this level of commitment to disability civil rights implementation. Oakland is recognized as a model city for Americans with Disabilities Act (ADA) compliance and many of our policies and programs are emulated by other cities. Moreover, the progressive work of this small division and all-volunteer commission effectively reduces the City's exposure to disability discrimination claims and provides a mechanism for amicable and cost-effective resolution of complaints that do arise.

The MCPD

The MCPD was established by City ordinance in 1980 to represent and address issues of people with disabilities. The commission has at least 51 percent representation by people with disabilities and the rest have either professional or personal experience working with people with disabilities. The MCPD serves the following key roles in Oakland government:

- Advising the Mayor and City Council on matters affecting the disability community;
- Acting as the City's designated advisory body for ADA compliance;
- Providing advice and assistance to other City boards and commissions; and
- Participating at the local, state and national levels in the advancement of disability rights.

MCPD MEMBERSHIP

Commissioners are representative of the diversity of Oakland and of the disability

community. There are eleven seats on the MCPD and at least six members must be present to constitute a quorum, as per the enabling ordinance. Historically, there has been a high degree of turnover of Commissioners. Two Commissioners representing D3 resigned and moved out of the area and three new commissioners representing D3, D5, and D6 were seated in 2021. As of April 19, 2022, there were four vacancies on the Commission.

MCPD RECENT ACTIVITIES

In the past year, the MCPD has made significant contributions the development and operation of City activities that affect persons with disabilities and has facilitated numerous opportunities for Oakland to connect with its citizens with disabilities despite ongoing high membership turnover and the City's continuing financial challenges. The following highlights both information received by the Commission as well as guidance and outcomes the Commission has provided to the City and the community.

MCPD PRESENTATIONS AND COLLABORATIONS IN 2021

- Strategic Planning Recap & Developing New Goals with Yvonna Cazares
- Shared Mobility Update with Kerby Olsen
- Zero Emission Vehicle Action Plan Presentation with Michael Randolph
- Adaptive E-scooter operator presentation (SPIN, VeoRide and LINK) with Kerby Olsen
- Grand Ave Mobility Plan with Hank Phan
- High Street Repaving Project with Colin Piethe
- Flex Streets with Greg Minor
- Safe Oakland Streets with Nicole Ferrara
- EMSD 2021 Emergency Operations Plan Updates and Activities with Olga Crowe and Kelly Nguyen
- EMSD on CORE and LHMP with Brianna Horton and Jessica Feil
- Future of Virtual Meetings with Richard Luna
- PG&E Wildfire Safety Programs and PSPS Events with Sarah Yoell, Government Relations and John Walsh, Public Safety Specialist, from PG&E
- City of Alameda Universal Design Ordinance with Sarah Henry and Beth Kenny from the City of Alameda
- Accessible and Affordable Housing for low income and homeless and persons with disabilities with David Cota from EBALDC and Apolonio Munoz and Daniel Fagan from Midpen Housing
- Oakland Multi-Year Paving Plan with Sarah Fine and Josie Ahrens
- OakDOT Protected Bike Lane Projects with Charlie Ream
- Community Engagement Workgroups with Joanna Winter and Jacque Larrainzar

MCPD CORRESPONDENCE AND CONCERNS IN 2021

- Commissioner Tevelson collaborated on and sent a letter on behalf of MCPD expressing their concerns about OPD Police and Procedure in relation to people with disabilities (PWDs) to the Police Commission.
- Commissioner Gregory led the effort to advocate for and track funding to find misplaced funds (\$500,000) for the Access Improvement Program (AIP), a

residential rehabilitation grant program to provide funding for accessibility modifications and improvements.

- Commissioner Sperling led an ad hoc committee to assess and present MCPD views in support of the OakDOT request to eliminate the Telegraph KONO protected bike lanes and replace them with enhanced bike lanes and curb maintenance in writing to each member of the Oakland City Council.

MCPD CHALLENGES

During this reporting period and in 2020 the MCPD has had challenges that reduce its effectiveness and efficiency.

- Reaching quorum is a monthly challenge. The covid pandemic brought significant changes to the lives of two commissioners who resigned during 2021 and the 2020 Commission Chair (Meu) who lost his life to covid in the fall of 2020. Two more commissioners resigned in the first two months of 2022.
- ADA Programs Division has been understaffed since 2017. In 2016 an outside consultant firm (Michael Baker International) performed a gap analysis on appropriate staffing levels for the ADA Programs Division. Its analysis identified and recommend that the division should be staffed with at least four (4) FTE to be able to provide an appropriate level of service at that time.
- ADA Programs Division briefly had four FTE in 2017. However, two long time staff abruptly left the Division leaving it half staffed. One position was eliminated and the other was not prioritize to be filled. For a while there were only two staff up until January 2020 when the program analyst transferred to another department and the Division was down to one staff -- the manager. April 2021 was when a new program analyst was hired.
- During a brief period when ADA Programs Division was down to only one staff, MCPD meetings was cancelled due to limited staff resources to support MCPD activities. MCPD requested city staff to provide staffing resource to ADA Programs Division for MCPD meeting to resume. OakDOT temporarily loaned staff support for MCPD to continue meeting and to comply with all sunshine and PEC requirements.
- ADA Programs Division currently only has two FTE to serve the entire city programs, activities, services and residents, in addition to support the work of the Mayor's Commission on Persons with Disabilities. A prior recruitment effort to fill vacant positions did not produce an adequate pool of candidates and a current recruitment effort in 2022 has been extended multiple times to find qualified applicants.

ADA PROGRAMS DIVISION COLLABORATIONS AND ACTIVITIES IN 2021

ADA Programs Division promotes equity for persons with disabilities by coordinating physical and programmatic access compliance in all city programs, activities, and services. The following are some highlighted accomplishments:

- Assisting OakDOT staff in developing curb ramp standard plans.
- Assisting OakDOT staff on major Capital Improvement Projects including 14th Ave, Lakeshore PBL and Howard Terminal
- Division Manager, Anh Nguyen was interviewed and featured in the UC Berkeley Safe Transportation Research and Education Center (SafeTREC) Video 'The Changing Mobility Landscape: E-Scooter Safety' which explores the evolving mobility

landscape, the benefits and safety challenges of micro mobility devices like e-scooters, and how to meet goals around safety, accessibility, and equity.

- Video link: <https://www.youtube.com/watch?v=WlkffqCThs>
- Assisting facility staff plan for the Portland Loo (<https://portlandloo.com/>) to be used in Oakland to help serve the homeless population have access to clean and safer restroom.
- Working with a multi-department workgroup on Community Engagement policy development and an Administrative Instruction.
- Working with the Communication team to update the city's website which includes significant accessibility improvements to ensure ADA compliance.
- Working on the Flex-Street program multi-department workgroup on ADA design guidelines and policy development.
- Assisting OPW CIP team plan, review, and deliver Capital Improvement Program (CIP) projects such as, upgrading city's parks, recreation centers, and water hydration system.
- Assisting Emergency Services Division on updating their emergency preparedness plan for Access and Functional Needs (AFN) population.
- Assisting Emergency Services Division develop training materials and courses to train DSW workers how to assist the AFN population during an emergency and when respite centers are open.
- Staffing the Mayor's Commission on Persons with Disabilities (MCPD):

MCPD 2022 STRATEGIC PLANNING AREAS

POLICING /SAFETY (Goal Area 1)

1.1 Because this is a deeply intersectional issue-race/poverty/disability/environment, and persons with disabilities (PWDs) inordinately find themselves victims of police violence because of their disabilities, MCPD will continue to provide input and monitor OPD policies and procedures concerning PWD to include Domain 37 training and Critical Intervention Training (CIT).

1.2 MCPD will advocate for improved safety services for the disability community and the community in general in the face of emergencies and natural disasters. Increasingly poor air quality and the need for clean air refuges is a specific concern and a permanent issue going forward. Accessible shelters and transportation to them are critical to community safety. In home air quality is also a critical issue for MCPD.

ACCESSIBILITY OF CITY PROGRAMS/ SERVICES/ ACTIVITIES (Goal Area 2)

2.1 MCPD will provide input to the City regarding Oakland's ongoing development and implementation of its ADA Transition Plan.

The commission will continue to recommend to the City Council, City staff, and the Mayor's Office the need to maintain and enhance the effectiveness of the ADA division by restoring and adding funding for services and programs.

It is also critical that the ADA Programs Division have a more autonomous position within the City department hierarchy to better monitor the ADA Transition Plan progress

and assist City Departments with recommendations to meet their individual compliance requirements. MCPD advocates that ADA Programs Division fall directly under the City Administrator.

HOUSING (Goal Area 3): Ensure ADA-compliant housing stock

3.1 Advocate to ensure the accessibility and affordability of housing in Oakland and Renter’s Rights: Ensure Oakland renters with disabilities have access to the same financial and/or civic benefits afforded to Oakland homeowners with disabilities.

3.2 Whereas the MCPD recognizes a high prevalence of homeless individuals living in Oakland are also PWDs, often disconnected from services, and whereas the MCPD recognizes a responsibility to represent the voices of all PWDs living in the city, the MCPD will collaborate with official activities and initiatives addressing homelessness in the city, with the objective to improve conditions for and/or reduce the number of PWDs who are homeless in Oakland.

MCPD Chair Recommendations:

1. The Life Enrichment Committee (LEC) should support MCPD’s activities in completing its planning goals for this year.
2. LEC should help in prioritizing and allocating resources to achieve the recommendations staffing levels for the ADA Programs Division made by Michael Baker International’s gap analysis report.
3. LEC should support the ADA Programs Division to become more autonomous within the city organization hierarchy, possibly to be put back directly under the City Administrator Office, in order to be effective at coordinating physical and programmatic access compliance in all city programs, activities, and services citywide per State and Federal requirements.

Our commissioners remain passionate about making a difference in Oakland, and we look forward to your continued support in this endeavor.

Sincerely,

Howard Tevelson

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