

**City of Oakland**  
Mayor's Commission on Persons with Disabilities (MCPD)  
Monday, April 18, 2022  
5:30 p.m.-7:30 p.m. via Zoom Conference

Pursuant to California Government Code section 54953(e), MCPD Commissioners, as well as City staff, will participate via phone/video conference, and no physical teleconference locations are required.

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**ZOOM VIDEO/PHONE MEETING DETAILS**

For best results, please install the most recent version of the Zoom application; see [zoom.us](https://zoom.us).

**ZOOM MEETING ID:** 884 4859 0037  
*JOIN MEETING*

By **video**: go to <https://us06web.zoom.us/j/88448590037> open the meeting on a computer or smart phone at or before 5:30pm.

By **phone**: dial (408) 638-0968 at 5:30pm. (For international numbers, go to: <https://zoom.us/u/aWeTt9geS>.)

*COMMENT DURING MEETING*

By **video**: click the “Raise Your Hand” button to request to speak when Public Comment is being taken during Open Forum or on an eligible agenda item. You will be permitted to speak during your turn, allowed to comment, and after the allotted time, muted. Instructions on how to “Raise Your Hand” are available at <https://support.zoom.us/hc/en-us/articles/205566129>.

By **phone**: press \*9 to “Raise Your Hand” to speak when Public Comment is taken. You will be permitted to speak during your turn, allowed to comment, and after the allotted time, muted. Please unmute yourself by pressing \*6.

If you have any questions, please email Karen Denicore, staff liaison to the commission at [kdenicore@oaklandca.gov](mailto:kdenicore@oaklandca.gov).

**MCPD Webpage:** [www.oaklandca.gov/boards-commissions/mayorscommission-on-persons-with-disabilities](http://www.oaklandca.gov/boards-commissions/mayorscommission-on-persons-with-disabilities)

**Subscribe to MCPD's mailing list:**  
[oaklandca19202.activehosted.com/f/100](http://oaklandca19202.activehosted.com/f/100)

**Commissioners:** Howard Tevelson (Chair), Cathy Eberhardt (Vice Chair), Noah Smith (Vice Chair), Erin Hattersley, Ayanna Keeton, Marjorie Lynne, Leonard Moore, Karen Nakamura

**Commission staff:** Anh Nguyen, ADA Programs Division Manager; Karen Denicore, ADA Program Analyst I

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## **Agenda**

### 5:30 1. Roll Call/Determination of Quorum

#### Teleconference Protocol

Public comment will only be taken during Open Forum and during specific requests for public comment. Raised hands will be taken then, in the order they go up. There may be time limits put on comments if necessary. Do not unmute yourself until you are requested to do so. Raised hands will be lowered at all other times. All discussion topics are first opened to MCPD commissioners for comment and then for public comment, unless otherwise stated.

### 5:35 2. Open Forum

Any person may directly address the Commission on any items within the jurisdiction of this Commission not on the agenda for today. Speakers wishing to address a specific item on the agenda may do so when invited at the time the item is being considered. There is no discussion allowed during Open Forum. Please raise your hand if you wish to comment and wait to be called on.

### 5:45 3. Agenda Modification

MCPD Commissioners may move around the agenda items to better conduct the meeting.

4. Approval of March 2022 Minutes  
**(Exhibit A)**
5. Re-adoption of 2021 Virtual Meeting Resolution  
**(Exhibit B)**
- 5:50 6. Commissioner's Announcements  
Commissioners will now provide brief updates on their activities and make announcements relevant to the commission. There is no discussion during announcements.
- 6:00 7. [Friends of Dimond Park](https://www.friendsofdimondpark.org/home) (FODP)  
(<https://www.friendsofdimondpark.org/home>)  
Founder and Board Chair Opie Bellas will brief the commission on the FODP [history of advocacy](#) for ADA Accessibility, their recent Accessibility Report for Dimond Park **(Exhibit C)** and their current goal **(Exhibit D)** and [petition](#) to have funding included in the 2022-2024 City Budget for two priorities:
  - ADA Access
  - Playground/Tot Lot improvementsThey would like a letter of support from MCPD on their budget request. **(Exhibit E)**  
[Urgent Action Request | We Love Dimond Park \(friendsofdimondpark.org\)](#)
- 6:30 8. [Lime Adaptive Scooters](#), Lime Able, and [Lime Access](#)  
Bivett Brackett, Lime Senior Manager of Government Relations, to present and get feedback on their current adaptive service, the Lime Able Program, and their Lime Access program. Lime Access provides discounted fares to qualifying riders in the United States, and access to Lime scooters for people without smartphones or credit cards. To qualify, an individual must demonstrate participation in an eligible local, state, or federal public benefits program.
- 6:45 9. [California State Assembly Bill 2336](#) (Friedman):  
Speed Safety Systems Pilot Program. **(Exhibit F)**

Nicole Ferrara from OakDOT will introduce AB 2336 and ask for MCPD support of this bill. The Safe Oakland Streets (SOS) Initiative aims to prevent severe and fatal traffic crashes, eliminate injury inequities, and carefully assess and mitigate any equity impacts resulting from safety measures. Assembly Bill 2336 is a proposed state law that would allow Oakland to administer speed safety systems as a pilot program. The goal of the bill is to make our streets safer and in alignment with the SOS Initiative. Severe and fatal crashes disproportionately impact BIPOC communities, seniors, children, and people with disabilities.

- 7:00 10. Flex Streets Parklet Program Guidelines / Nicole Ferrara  
The Flex Streets program includes a variety of flexible uses of public and private property, including parklets, which are business use of parking spaces. The City of Oakland adopted a permanent Flex Streets program in March 2022 following the Covid-19 Pandemic Flex Streets Program launch in April 2020. With the permanent program, a new set of guidelines have been established for Parklet applicants and permittees to meet by July 1, 2023. The goal of these guidelines is to ensure that all parklets are installed in a safe and accessible manner. These guidelines will be enforced through an application permit and annual renewal including an inspection thereafter. Prior to finalizing these guidelines, OakDOT would like to hear from MCPD. (**Exhibit G**)

- 7:10 11. Staff Updates and Announcements

#### Future Agenda Items

Staff will share update on agenda items for upcoming meetings.

See MCPD scheduler at [tinyurl.com/MCPD-AgendaPlanner](https://tinyurl.com/MCPD-AgendaPlanner).  
Suggestions for future agenda items are also welcome at [adaprograms@oaklandca.gov](mailto:adaprograms@oaklandca.gov).

- 7:30 12. Adjournment  
(Meeting shall end no later than 7:30 p.m., unless extended by majority vote of the Commission.)

Note: The Commission May Take Action on Any Item on the Agenda

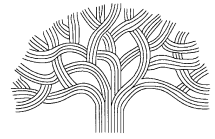
Agenda item start times are approximate and are provided as a courtesy guide only. Timing and order of items may change as part of Agenda Modification and Approval and/or as needed based on staff and time availability during the course of the meeting.



This meeting location is wheelchair accessible. To request disability-related accommodations or to request American Sign Language (ASL), Cantonese, Mandarin, or Spanish language interpreter, please email [adaprograms@oaklandca.gov](mailto:adaprograms@oaklandca.gov) or call (510) 238-5219 (V) or 711 (California Relay Service) at least five (5) business days before the meeting. Please refrain from wearing scented products to this meeting as a courtesy to attendees with chemical sensitivities.

Esta reunión es accesible para sillas de ruedas. Si desea solicitar adaptaciones relacionadas con discapacidades, o para pedir un intérprete de en español, Cantones, mandarín o de lenguaje de señas (ASL) por favor envíe un correo electrónico a [adaprograms@oaklandca.gov](mailto:adaprograms@oaklandca.gov) o llame al (510) 238-5219 (V) o al 711 para servicio de retransmisión (Relay service) por lo menos cinco días hábiles antes de la reunión. Se le pide de favor que no use perfumes a esta reunión como cortesía para los que tienen sensibilidad a los productos químicos. Gracias.

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**City of Oakland**

Mayor's Commission on Persons with Disabilities (MCPD)  
Monday, March 21st, 2022 5:30 p.m.-7:30 p.m. via Zoom Conference

**DRAFT Minutes**

**NOTE:** Approved minutes and video recordings are posted at <https://www.oaklandca.gov/boards-commissions/mayors-commission-on-persons-with-disabilities/meetings>

**Commissioners:** Howard Tevelson (Chair), Cathy Eberhardt (Vice Chair), Noah Smith (Vice Chair), Erin Hattersley, Ayanna Keeton, Marjorie Lynne, Leonard Moore, Karen Nakamura

**Commission staff:** Anh Nguyen, ADA Programs Division Manager; Karen Denicore, ADA Program Analyst I

**Presenters:** Justina Victoriano from CRIL (Community Resources for independent Living)

**Other attendees** (from webinar Attendee list): Emma Martin (TheCIL) Ofurhe Igbiniedion, Chonita Chew (USOAC), Sheela Gunn-Cushman, Helen Walsh, Arlene Hipp, Meijia Zhang, Maya Amichai, Zenobia Ravji, Gurpreet Kaur, Thomas Gregory

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Meeting called to order by Chair Tevelson at 5:35 PM. At roll call, quorum was established with six of eight commissioners present (x).

<b>Commissioners</b>	<b>Present (x)</b>
Howard Tevelson (Chair)	X
Cathy Eberhardt (Vice Chair)	X
Noah Smith (Vice Chair)	X
Erin Hattersley	absent
Ayanna Keeton	X
Marjorie Lynne	X
Leonard Moore	X
Karen Nakamura	X

## **Exhibit A**

There were no speakers for Open Forum.

The agenda was accepted without modification and unanimous voice approval.

February 2022 Minutes were adopted with a motion from Commissioner Smith, seconds from Commissioners Moore and Lynne and unanimous approval.

The 2021 Virtual Meeting Resolution was re-adopted with a motion from Commissioner Lynne and seconds from Commissioners Eberhardt and Smith with seven votes from the seven commissioners present.

<b>Commissioners</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>
Howard Tevelson (Chair)	X		
Cathy Eberhardt (Vice Chair)	X		
Noah Smith (Vice Chair)	X		
Erin Hattersley	N/A		
Ayanna Keeton	X		
Marjorie Lynne	X		
Leonard Moore	X		
Karen Nakamura	X		

There were no commissioners with updates or information to present during Commissioner's Announcements.

The current version of the [MCPD Commissioner Handbook](#) was presented to the commission with an overview of the contents and highlights.

**Action steps: check on screen reader accessibility by using available checkers but also having multiple users of different types of screen readers check documents personally.**

- Chair Tevelson reminds Commissioners that there is also the responsibility of filing yearly 700 forms by the deadline of April 1<sup>st</sup>.
- Sheela Gunn Cushman asked about the process for creating the handbook and if it was fully accessible.

## ***Exhibit A***

- Helen Walsh commented about issues reading the handbook using her Voice Over Mac-IOS screen reader with links identified but not engaging. May not be bad links but screen reader incompatibility and document should be screened for full accessibility
- Commissioner Moore experiences similar issues with pdf documents on his pc that is not a Mac and finds that he has better success with his screen reader turning pdf documents into Word documents for reading.

Former Commissioner Thomas Gregory was presented with a Proclamation from Mayor Libby Schaaf for his service to MCPD and the City of Oakland.

Justina Victoriano of Community Resources for Independent Living (CRIL) expanded upon the DDAR (Disability Disaster Access and Resources) program that provides services to Oakland and Alameda County residents during disasters. She described the services available directly through CRIL for both PSPS (public safety power shut offs) and non-PSPS events and the application process to access them

- Commissioner Eberhardt asked about the availability of services for persons with mental health disabilities. All residents who would have need of a battery are eligible for that service as well as other disaster preparedness services.
- If residents do not directly pay PG&E, they should still apply for all services (Medical Baseline) because someone is paying PG&E and they are eligible to apply it to their bill if you are eligible.
- What about eligibility criteria only available to those living in High Fire Threat District or have experienced a PSPS? In the event of non PSPS fire emergencies (like an earthquake) they can deploy batteries and services to all in need as they are able.
- Justina encourages residents to go ahead and apply and see if they are eligible rather than assume they cannot be assisted.



## ***Exhibit A***

The 2022 Strategic Plan for MCPD was reviewed and assignments were updated for 2022.

### **POLICING /SAFETY (Goal Area 1)**

#### **Commissioners Tevelson, Nakamura, Hattersley**

1.1 *Because this is a deeply intersectional issue-race/poverty/disability/environment, and persons with disabilities (PWDs) inordinately find themselves victims of escalated 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 CIT.*

#### **Commissioners Lynne and Keeton**

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)**

#### **Commissioners Tevelson and Moore, Commissioner Smith can consult**

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.

## **Exhibit A**

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.

### **HOUSING (Goal Area 3): Ensure ADA-compliant housing stock (2021 3.3 combined with 3.1)**

#### **Commissioners Nakamura, Hattersley, and Smith**

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.

#### **Commissioner Eberhardt**

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.

<b>Commissioners</b>	<b>GOALS</b>
Howard Tevelson (Chair)	1.1, 2.1
Cathy Eberhardt (Vice Chair)	3.2
Noah Smith (Vice Chair)	3.1, 3.2, (2.1)
Erin Hattersley	1.1, 3.1
Ayanna Keeton	1.2
Marjorie Lynne	1.2
Leonard Moore	2.1
Karen Nakamura	1.1, 3.1

## ***Exhibit A***

### Staff Updates and Announcements

- ADA Programs open position recruitment closing date extended to 4/1/2022 to collect additional applications.
- New Legislation - AB 917: Video Imaging of Parking Violations in bus lanes expands to transit stops
- Alameda County housing portal currently has an open waitlist and provides the opportunity to create a master application that can also be used to populate future applications

See MCPD scheduler at [tinyurl.com/MCPD-AgendaPlanner](https://tinyurl.com/MCPD-AgendaPlanner). For Future Agenda Items

Suggestions for future agenda items are welcome at [adaprograms@oaklandca.gov](mailto:adaprograms@oaklandca.gov).

The meeting was adjourned at 7:33 PM

## **March 2022 Minutes attachment; Updates and Announcements**

### **New Legislation - AB 917: Video Imaging of Parking Violations in bus lanes expands to transit stops.**

On October 8, 2021, Governor Gavin Newsom signed Assembly Bill 917 (AB 917) into law, authored by Assembly Member Richard Bloom (D-Santa Monica). AB 917 expands existing state law, until January 2027, to allow all California transit agencies to use cameras mounted on transit vehicles to discourage illegal parking in transit-only lanes and at transit stops. Currently, only AC Transit and the San Francisco Municipal Transportation Agency (SFMTA) have this authority and as noted above, it is limited to transit only lanes.

AC Transit reports that in January 2021, 290 tickets were issued, but by December 2021 that number dropped 90 percent, to just 29 tickets. This downward trend is precisely what we expected to see. Once vehicle drivers along the corridor realized citations were being issued for parking violations, less violations occurred. Currently, fewer than three tickets per day on average are issued along the BRT's 9.5-mile route.

### **Housing Opportunity - Fruitvale Studios - 2600 International Blvd through 3/25**

There have two vacant units that will be filled through a waitlist lottery on the Alameda County Housing Portal at <https://housing.acgov.org/listings>

Applications will be accepted **Monday, 3/14/22 through Friday, 3/25/22** and the lottery results will be posted on the portal listing by **Friday, 4/1/2022**.

The units are not subsidized, however we accept housing subsidies. More information about minimum & maximum income requirements can be found on the portal listing. The property does have a live/work in Alameda County preference.

### **[Alameda County Housing Portal](https://housing.acgov.org/listings)**

A new portal to create an account and single application you can use to apply for open waiting list opportunities on affordable housing throughout Alameda County. It is a link to multiple housing opportunities and resources and you can sign up to be notified whenever a new listing is posted.

# **OAKLAND Mayor's Commission on Persons with Disabilities (MCPD)**

## **April 2022 VIRTUAL MEETING RESOLUTION**

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**ADOPT A RESOLUTION DETERMINING THAT CONDUCTING IN-PERSON MEETINGS OF THE MAYOR'S COMMISSION ON PERSONS WITH DISABILITIES (MCPD) AND ITS COMMITTEES WOULD PRESENT IMMINENT RISKS TO ATTENDEES' HEALTH, AND ELECTING TO CONTINUE CONDUCTING MEETINGS USING TELECONFERENCING IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 54953(e), A PROVISION OF AB-361.**

**WHEREAS**, on March 4, 2020, Governor Gavin Newsom declared a state of emergency related to COVID-19, pursuant to Government Code Section 8625, and such declaration has not been lifted or rescinded. See <https://www.gov.ca.gov/wp-content/uploads/2020/03/3.4.20-Coronavirus-SOE-Proclamation.pdf>

**WHEREAS**, on March 9, 2020, the City Administrator in their capacity as the Director of the Emergency Operations Center (EOC), issued a proclamation of local emergency due to the spread of COVID-19 in Oakland, and on March 12, 2020, the City Council passed Resolution No. 88075 C.M.S. ratifying the proclamation of local emergency pursuant to Oakland Municipal Code (O.M.C.) section 8.50.050(C); and

**WHEREAS**, City Council Resolution No. 88075 remains in full force and effect to date; and

**WHEREAS**, the Centers for Disease Control (CDC) recommends physical distancing of at least six (6) feet whenever possible, avoiding crowds, and avoiding spaces that do not offer fresh air from the outdoors, particularly for people who are not fully vaccinated or who are at higher risk of getting very sick from COVID-19. See <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html>;

**WHEREAS**, the CDC recommends that people who live with unvaccinated people avoid activities that make physical distancing hard. See <https://www.cdc.gov/coronavirus/2019-ncov/your-health/about-covid-19/caring-for-children/families.html>;

**WHEREAS**, the CDC recommends that older adults limit in-person interactions as much as possible, particularly when indoors. See <https://www.cdc.gov/aging/covid19/covid19-older-adults.html>;

## ***Exhibit B***

**WHEREAS**, the CDC, the California Department of Public Health, and the Alameda County Public Health Department all recommend that people experiencing COVID-19 symptoms stay home. See <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/steps-when-sick.html>;

**WHEREAS**, persons without symptoms may be able to spread the COVID-19 virus. See <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html>;

**WHEREAS**, fully vaccinated persons who become infected with the COVID-19 Delta variant can spread the virus to others. See <https://www.cdc.gov/coronavirus/2019-ncov/vaccines/fully-vaccinated.html>;

**WHEREAS**, the City's public-meeting facilities are indoor facilities that do not designed to ensure circulation of fresh / outdoor air, particularly during periods of cold and/or rainy weather, and were not designed to ensure that attendees can remain six (6) feet apart; now therefore be it:

**WHEREAS**, holding in-person meetings would encourage community members to come to City facilities to participate in local government, and some of them would be at high risk of getting very sick from COVID-19 and/or would live with someone who is at high risk; and

**WHEREAS**, in-person meetings would tempt community members who are experiencing COVID-19 symptoms to leave their homes in order to come to City facilities and participate in local government; and

**WHEREAS**, attendees would use ride-share services and/or public transit to travel to in-person meetings, thereby putting them in close and prolonged contact with additional people outside of their households; and

**WHEREAS**, on October 18, 2021 the Mayor's Commission on Persons with Disabilities (MCPD) adopted a resolution determining that conducting in-person meetings would present imminent risks to attendees' health, and electing to continue conducting meetings using teleconferencing in accordance with California Government Code Section 54953(e), a provision of AB-361; now therefore be it:

**RESOLVED:** that the MCPD finds and determines that the foregoing recitals are true and correct and hereby adopts and incorporates them into this Resolution; and be it

**FURTHER RESOLVED:** that, based on these determinations and consistent with federal, state and local health guidance, the MCPD determines that conducting in-person meetings would pose imminent risks to the health of attendees; and be it

## ***Exhibit B***

**FURTHER RESOLVED:** that the MCPD firmly believes that the community's health and safety seriously and the community's right to participate in local government, are both critically important, and is committed to balancing the two by continuing to use teleconferencing to conduct public meetings, in accordance with California Government Code Section 54953(e), a provision of AB-361; and be it

**FURTHER RESOLVED:** that the MCPD will renew these (or similar) findings at least every thirty (30) days in accordance with California Government Code section 54953(e) until the state of emergency related to COVID-19 has been lifted, or the MCPD finds that in-person meetings no longer pose imminent risks to the health of attendees, whichever is occurs first.



18 February 2022

## **ACCESSIBILITY REPORT**

### **Dimond Park Oakland**

The following observations are based on a cursory site visit to Dimond Park on January 16, 2022. This is a preliminary overview of some of the barriers to accessibility that were observed. Accessibility of public spaces for all people is required by the Americans with Disabilities Act (ADA) and the California Building Code (CBC).

The park was entered from Fruitvale Avenue at Lyman Road. There are crosswalks and curb ramps at the corners, but they are not in compliance with current code. They are too steep and do not have the yellow detectable warning that is required where a path or sidewalk meets the street. I would recommend at least one designated accessible parking stall with direct access to a code-compliant curb ramp.



This entrance has planters with brick borders and steps that are inaccessible to people in wheelchairs. This is an attractive feature inviting people into the park. The goal of Universal Design is to welcome everyone with an equal experience. A new accessible entrance should incorporate brick detailing or in some way provide an inviting experience.



2614 Madeline Street  
Oakland, CA 94602(510) 912-6405  
Falcondraw@aol.com  
claudiafalconerarchitect.com



## Exhibit C

The slope of the sidewalk at the natural grade in this area is too steep for a person in a manual wheelchair. A person in a motorized wheelchair could probably navigate it or if someone were pushing them, they could enter the park uphill (to the north) where a path without steps connects the sidewalk to the paved path in the park.



I noticed huge gaps in the trench drains. Wheelchair wheels can't negotiate this, but it is at the top of steps, so probably not an issue for people in wheelchairs. This would be a hazard for many able-bodied people, who could catch a heel or small shoe in the gap.



Many of the paths in the park are tamped earth or bark. These are not wheelchair accessible. Every amenity should at least allow a person with mobility issues to get to the facility. The benches near the Scout Hut are over bark. At least one bench should be accessible with a firm stable surface connected to an accessible path of travel. There is a paved path to the playground area, but then there is a concrete curb between the play structure and the area with the benches that had a 2" drop to the bark. That is a barrier to wheelchairs. The maximum level change is 1/2".

## Exhibit C

There is another playground near the end of Dimond Avenue. It has a paved path that is an accessible route that leads to a portion of the play structure, but there is no way for a person in a wheelchair to get to the path. There should be a curb ramp in the sidewalk and a paved walkway to connect to the existing path. I would also recommend at least one designated accessible parking stall at the top of Dimond.



The Dimond Park tennis courts are a well-used amenity. There is currently no accessible path of travel to the gates to the courts. We observed that there is a level space to the north of the courts outside the fence with a bench. We suggest that a paved path be installed in this area that connects to the sidewalk on Fruitvale Avenue. The ground slopes down from the sidewalk, so the new paved path may have to switch back and forth to achieve the 5% maximum slope, or a ramp installed with a maximum slope of 1:12 and handrails. If this new accessible entrance is built, a designated accessible parking stall and code compliant curb ramp should be added on Fruitvale Avenue. This new paved path could lead past the tennis courts and connect to the existing paved path near the barbecue area.

The park entrance at El Centro was not observed, nor was the swimming pool.

Sincerely,

A handwritten signature in purple ink that reads "Claudia Falconer". The signature is fluid and cursive.

Claudia Falconer, AIA  
Architect, CAsp #552 (Certified Access Specialist)

Friends of Dimond Park

# Help Make Our Park Safe & Accessible

Add your name to our letter asking Mayor Libby Schaaf to fund ADA access & playground safety upgrades



Visit [friendsofdimondpark.org](http://friendsofdimondpark.org) to have your name added



Friends of Dimond Park

# Help Make Our Park Safe & Accessible

Add your name to our letter asking Mayor Libby Schaaf to fund ADA access & playground safety upgrades



Visit [friendsofdimondpark.org](http://friendsofdimondpark.org) to have your name added





**For more information on  
this funding request, visit:**

[friendsofdimondpark.org](http://friendsofdimondpark.org)

Friends of Dimond Park is a group of  
neighbors & park users who volunteer  
to maintain, improve, & preserve the park.

*Friends of  
Dimond Park*



★ **CONSIDER DONATING** ★

Visit our website, or text "FODP" to 44321

**For more information on  
this funding request, visit:**

[friendsofdimondpark.org](http://friendsofdimondpark.org)

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*Friends of  
Dimond Park*



★ **CONSIDER DONATING** ★

Visit our website, or text "FODP" to 44321

## **Exhibit E**



City of Oakland  
Mayor's Commission on Persons with Disabilities

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The Mayor's Commission on Persons with Disability endorses the campaign by **Friends of Dimond Park** to ensure a dignified access for all into Dimond Park at Fruitvale Entrance.

In 2016 at the behest of Councilmember, Annie Campbell Washington, the City Council's Public Works Committee did approve making accessibility of Dimond Park a City priority.

Since then, Dimond Park did gain two additional disabled parking spaces at Canon & Wellington & some of the park pathways became ADA-compliant as part of the Sausal Creek restoration project completed in 2016. However, the Fruitvale Ave. entrance to Dimond Park remains inaccessible for persons using wheelchairs or other mobility devices & there are other deficiencies within the park.

Recently, an architect certified in ADA did an informal evaluation of access issues in Dimond Park & identified park features that are out of compliance with the ADA.

The MCPD endorses the campaign by Friends of Dimond Park to ensure a dignified access for all into Dimond Park.

Thank you,

[ MCPD Representative Signature(s) here]

Suggested Draft Letter Template to Mayor Schaaf, Council President Nikki Fortunato Bas ([district2@oaklandca.gov](mailto:district2@oaklandca.gov)) and Sheng Thao ([BHarami@oaklandca.gov](mailto:BHarami@oaklandca.gov))

# Safe Oakland Streets



**Assembly Bill 2336 (Friedman and Ting)**

**Enforcing Speed Limits to Save Lives**

# MCPD Action Request

- Letter of support for AB 2336  
(A drafted template is available)

# Too many people are dying and being severely injured in traffic crashes

- In **2021**, **29 people** lost their **lives** on Oakland's streets due to traffic violence
- Approximately **two life-changing or life-ending** traffic crashes happen **each week**



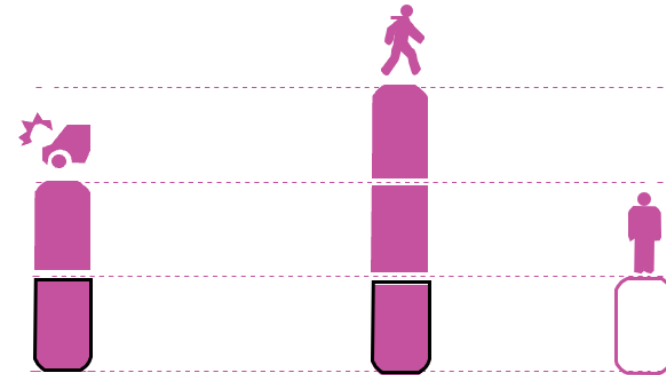


# Severe and Fatal Crashes Disproportionately Impact Black Oaklanders and Seniors

Older Oaklanders  
(65+)



2x more likely to be killed in  
a crash compared to all  
other Oaklanders



2 times

Black  
Oaklanders  
are

as likely to be  
killed or severely  
injured in a crash  
(all modes)

3 times

as likely to be  
killed or severely  
injured while  
walking

compared to  
all other  
Oaklanders

# Severe and Fatal Crashes Disproportionately Impact People with Disabilities



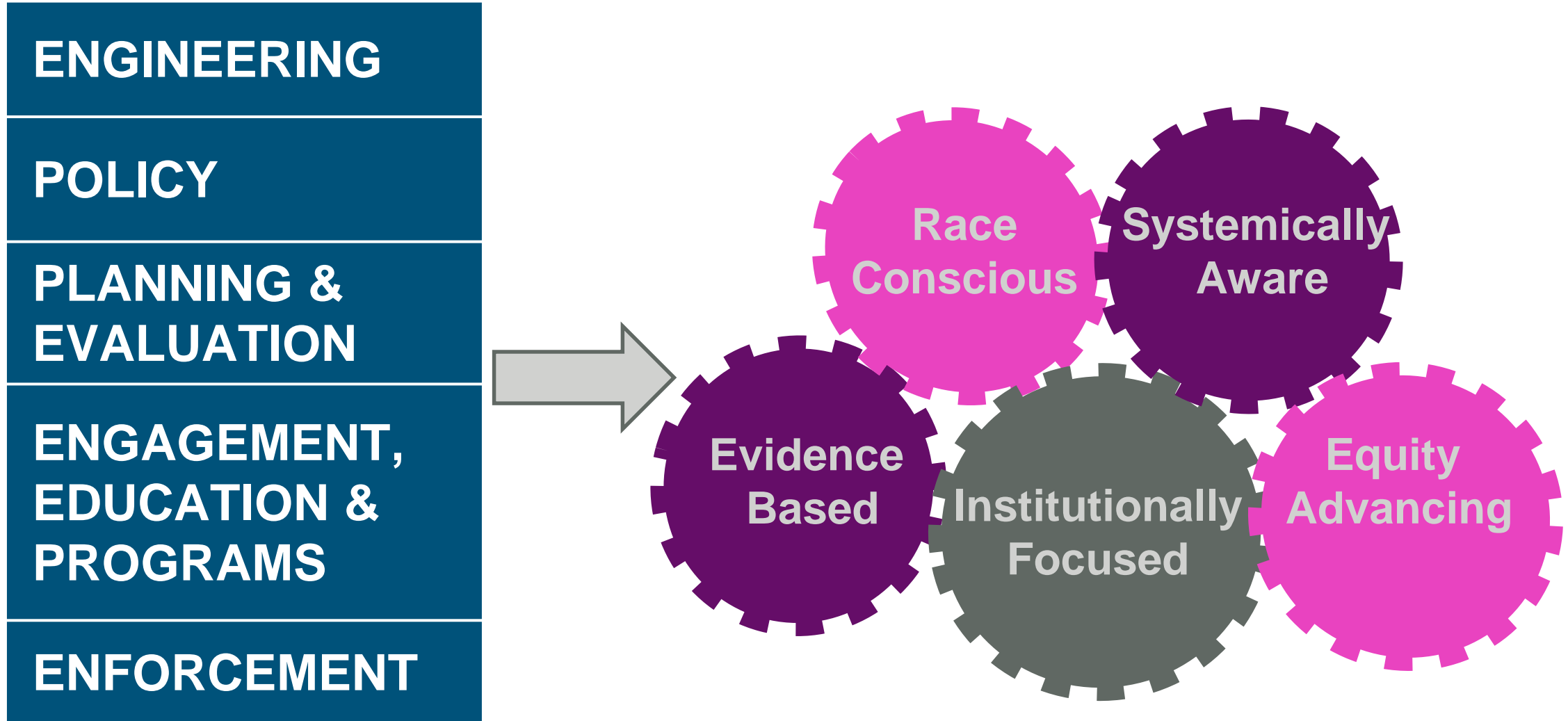
- People with disabilities are more likely to be pedestrians
- 37.5% of severe and fatal crashes involving a pedestrian occur in crosswalks at an intersection
- People with disabilities may spend more time than average in intersections and on the road in general
- Severe crashes may result in disability

# Safe Oakland Streets Goals

1. **Prevent severe and fatal crashes** and related disparities impacting Black, Indigenous, and People of Color (BIPOC) communities, seniors, people with disabilities and low-income populations
2. **Eliminate severe and fatal injury inequities**
3. **Inform effective and equitable safety strategies**



# Equity & Efficacy Analysis



# Strategies Summarized

<b>ENGINEERING</b>	Most critical element, prioritize this with strong engagement
<b>POLICY</b>	Focus on speed-related policies
<b>PLANNING &amp; EVALUATION</b>	Build more robust and transparent injury data; update HIN
<b>ENGAGEMENT, EDUCATION &amp; PROGRAMS</b>	Engage communities in strategies, partner w/ CBOs on programs, and seek opportunities for collaboration
<b>COLLABORATION</b>	Coordinate across departments & public; report to Council annually
<b>ENFORCEMENT</b>	Use new traffic enforcement strategies, improve data & guidance to reduce disparities

*Exhibit F*

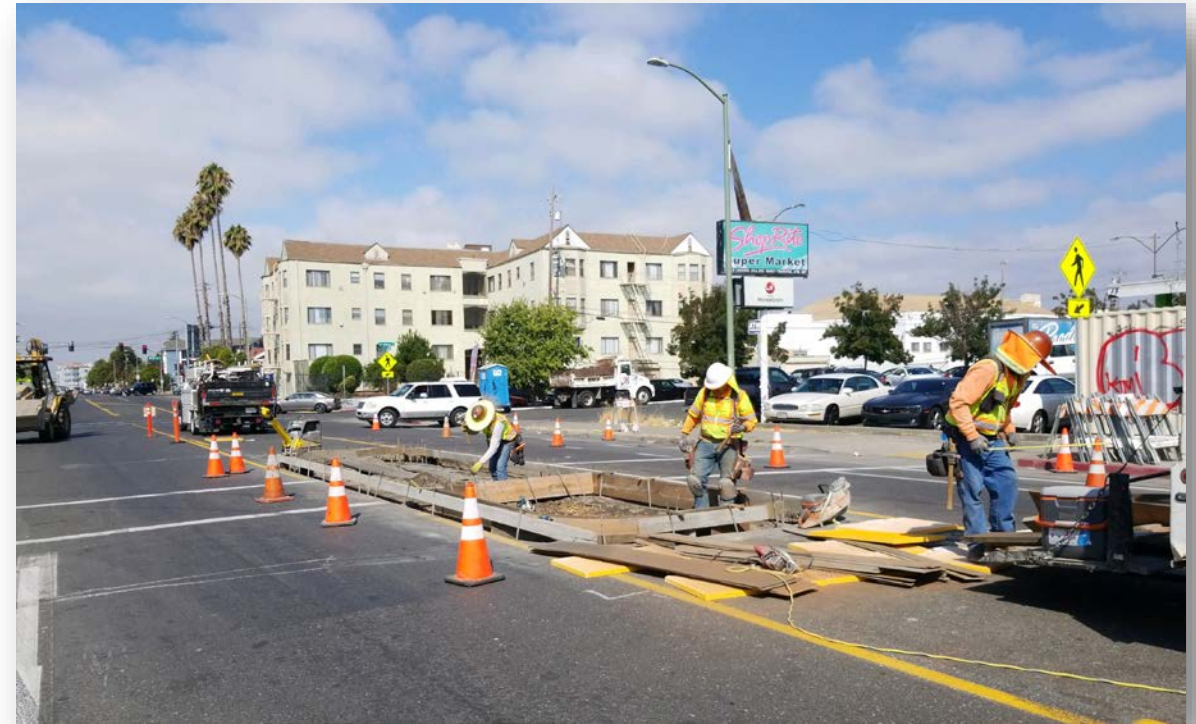


# Engineering Projects



**98<sup>th</sup> & Cherry, in front of an elementary school**

*Exhibit F* (image of crosswalk with painted pedestrian island protected by plastic bollards)



**Bancroft & Avenal**

(image of workers installing a pedestrian island)

# Engineering Projects



**35<sup>th</sup> Avenue**  
(Image of street with a speed hump)

*Exhibit F*



**Foothill and Fairfax**  
(image of speed bumps and Bott's Dots installed throughout an intersection)



# Engineering Projects



**MacArthur Blvd by Mills  
College  
(Image of cyclist in  
cycletrack)**

*Exhibit F*



**Chinatown Lake Merritt BART  
(New bike lanes and bulb outs  
protected with plastic bollards)**



# Speed Kills

## HIGH SPEEDS ARE MORE DEADLY



## AND SPEED MATTERS IN OAKLAND



**1 in 4** Oaklanders killed are involved in a crash where speed is a primary factor



# Speed Safety Systems

## What's their efficacy?

### Speed Reductions

Portland

**30%**

Decrease in speeding vehicles

Chicago

**31%**

Decrease in speeding vehicles

Denver

**28%**

Decrease in average speed

### Injury and fatality Reductions

New York City

**55%**

Decrease in fatalities

Montgomery County, MD

**39%**

Decrease in severe & fatal injuries

Washington, D.C.

**70%**

Decrease in fatalities



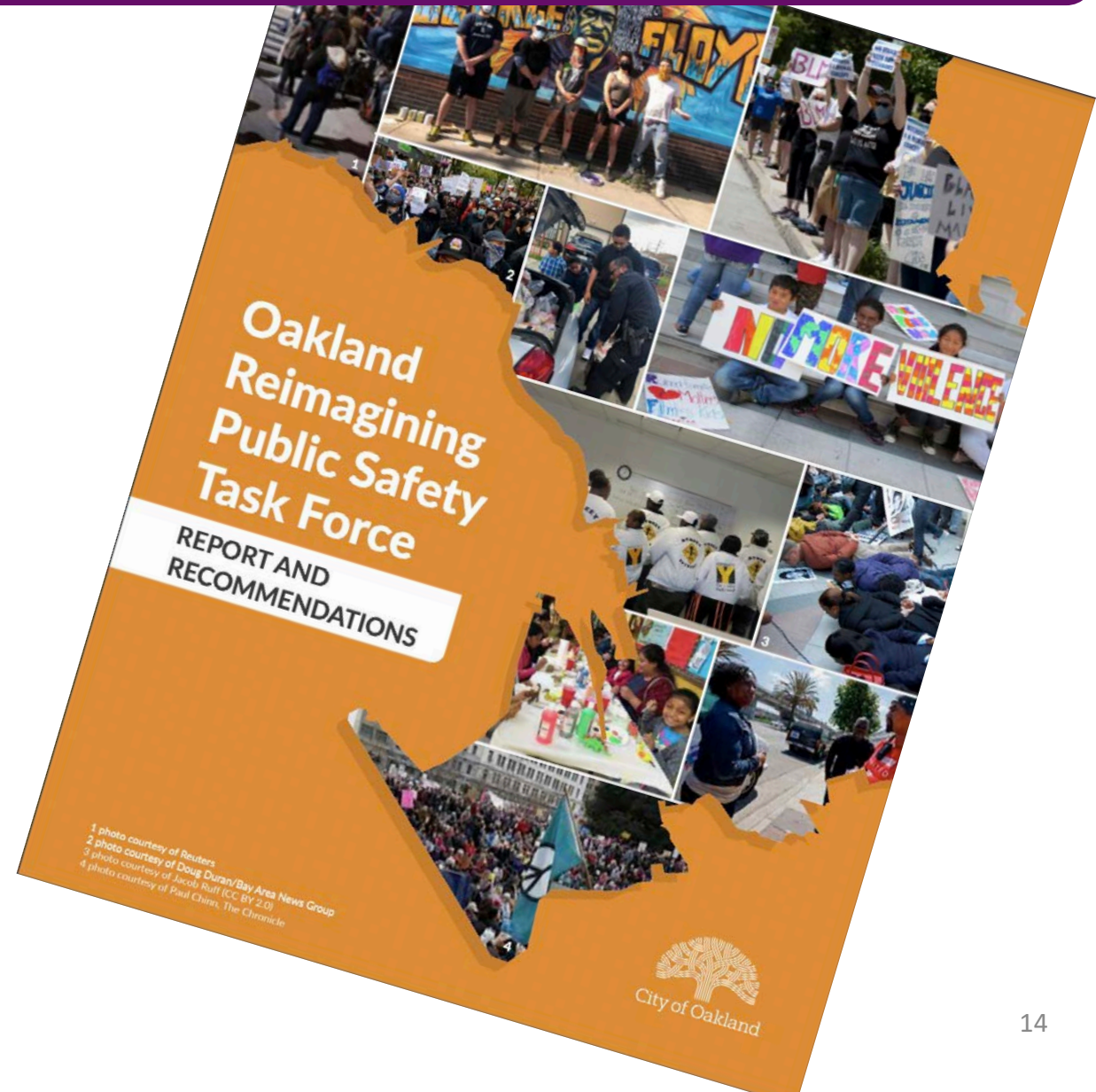
# Reimagining Public Safety Task Force

## Recommendation 59

*Pending changes in California State law, move most traffic enforcement out of the Oakland Police Department (OPD) and into the Oakland Department of Transportation (OakDOT)*



Exhibit F



# Strong Equity & Privacy Mitigations

- Non-moving violations without photos of drivers' faces (similar to parking tickets)
- Information is destroyed after 5 days if no violation, 60 days with violation
- Cannot use data for any other purpose
- Must work with stakeholders to develop a Speed Safety System Use Policy, which includes location selection

# Comparison of Speed Enforcement Strategies

## Officer-Enforced

- Limited Efficacy
- Implicit biases can lead to more tickets for BIPOC drivers
- OPD led
- Interactions are stressful and can escalate

## Speed Safety System

- High Efficacy
- No opportunity for racial profiling
- DOT led
- No interactions b/t law enforcement and public

## No Enforcement

- No Efficacy
- More instances of speeding/extreme speeding
- More loss of life & disability
- Higher stress levels for residents

# Fines Comparison

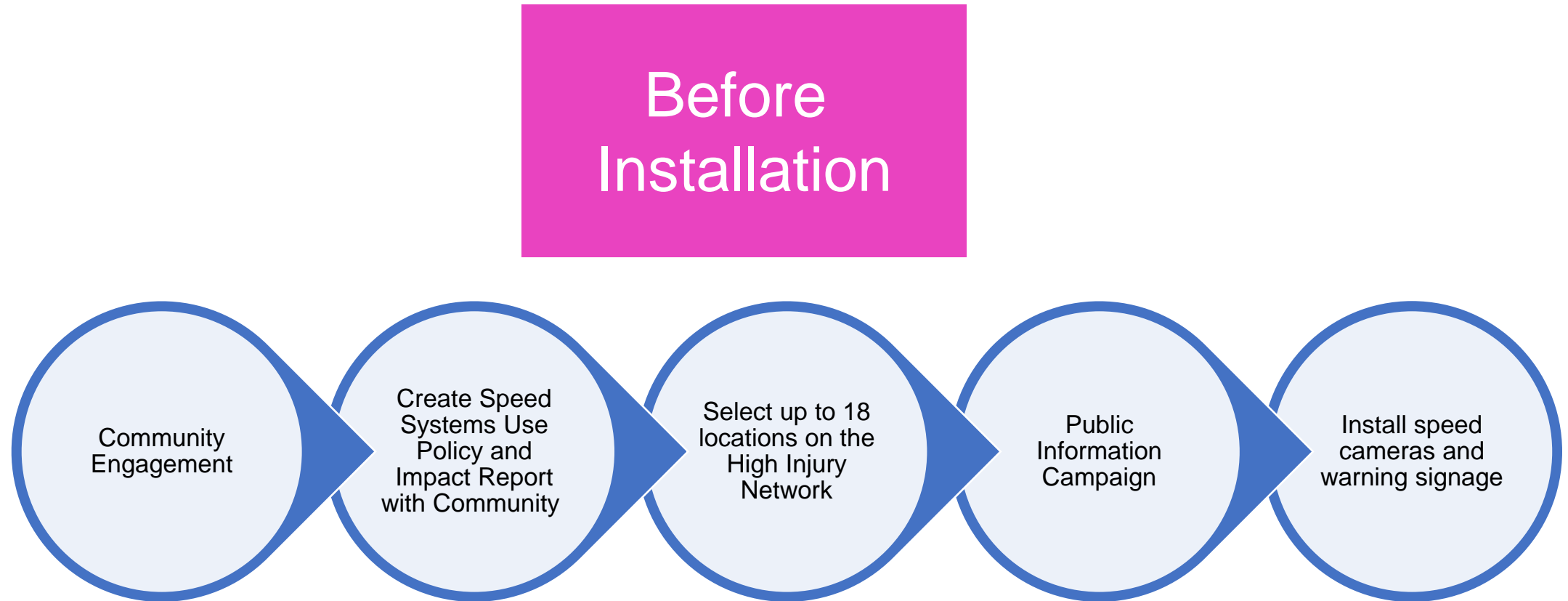
Speed violation AB 2336	Fine	Speed Violation existing law	Fine
11-15 mph	\$50	1-15 mph	\$238 and 1 point
16-25 mph	\$100	16-25 mph	\$367 and 1 point
26 mph and over	\$200	26 and over	\$490 and 1 point
Speed greater than 100 mph	\$500	Speeding greater than 100 mph	\$900 and 2 points

# Fine Reductions under AB 2336

Speed violation AB 2336	Fine	Indigent	200% above poverty level
11-15 mph	\$50	\$10	\$25
16-25 mph	\$100	\$20	\$50
26 mph and over	\$200	\$40	\$100
Speed greater than 100 mph	\$500	\$100	\$250

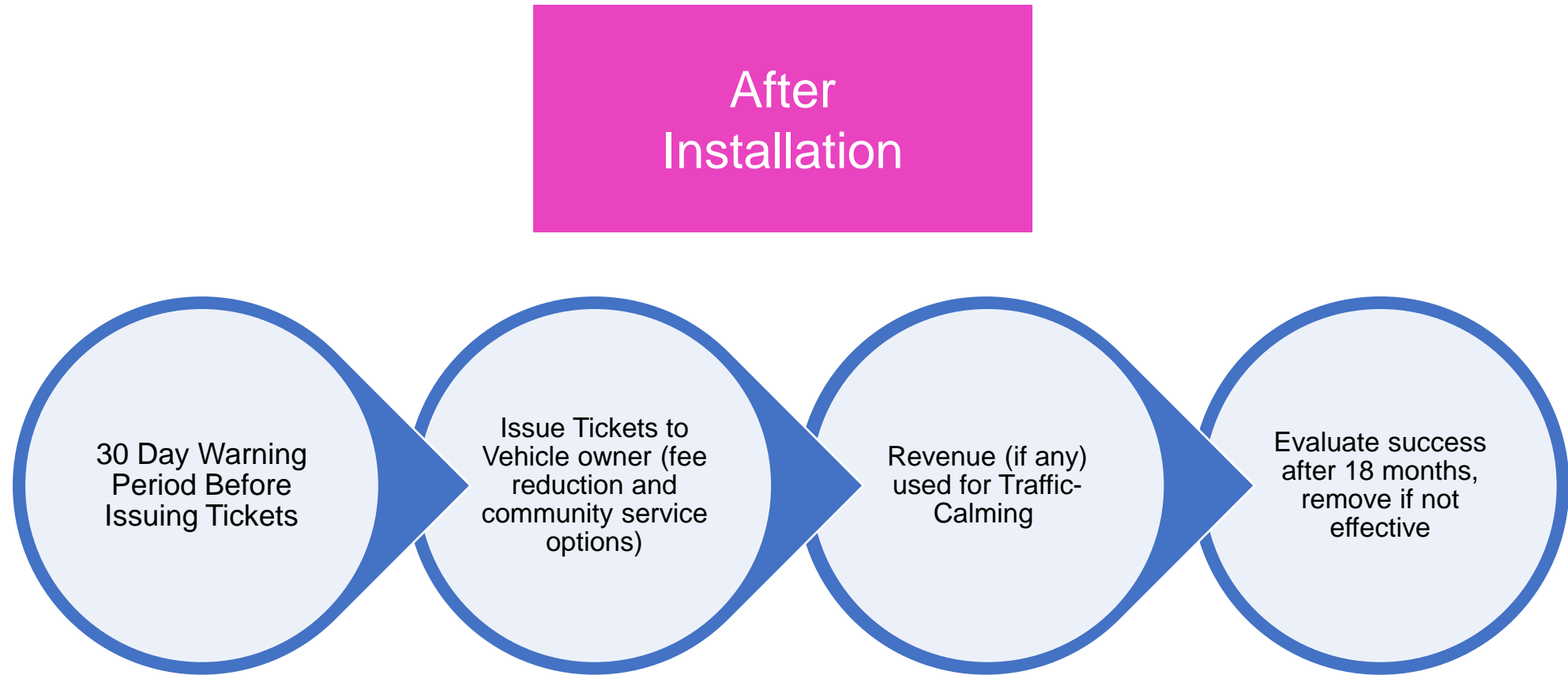
*Exhibit F*

# AB 2336 (Friedman and Ting): Implementation of Automated Speed Enforcement





# AB 2336 (Friedman and Ting): Implementation of Automated Speed Enforcement



# Thank you!



**More info & resources available at:** [www.oaklandca.gov/SOS](http://www.oaklandca.gov/SOS)



## Department of Transportation

# Standard Operating Procedure (SOP)

<b>SUBJECT:</b>	<b>Flex Streets Parklet Guidelines</b>
<b>INTENT:</b>	To establish Parklet Design Guidelines in the City of Oakland
<b>RESPONSIBLE PERSON (S):</b>	Director, Department of Transportation, and City Traffic Engineer
<b>CRITICAL TIMING:</b>	Parklet guidelines will be enforced beginning July 1, 2023. Parklet applicants and existing permittees are encouraged to make changes to align with these guidelines before that deadline.
<b>INVOLVED INDIVIDUALS:</b>	OakDOT Director, Assistant to the Director on Policy & Intergovernmental Affairs, Assistant Director overseeing ROW, ROW Division, City Traffic Engineer, ADA Programs Division, Planning and Building Department, Fire Department, Economic and Workforce Development Department
<b>OBJECTIVES:</b>	To ensure that all parklets are installed in a safe and accessible manner.
<b>POLICY REVIEW:</b>	These administrative guidelines will be reviewed and updated as needed to ensure safety and accessibility. Parklet owners/permittees will be notified of changes and deadline to implement changes if applicable.
<b>REFERENCES:</b>	SFMTA Shared Spaces Program, Healdsburg Temporary Parklet Permit Agreement & Guidelines, SDOT Parklet Handbook, Berkeley Parklet Guide

### Purpose

The City of Oakland adopted a permanent Flex Streets program in March 2022 following the Covid-19 Pandemic Flex Streets Program launch in April 2020. With the permanent program, a new set of guidelines have been established for Parklet applicants and permittees to meet by July 1, 2023. These guidelines will be enforced through an application permit and annual renewal including an inspection thereafter.

### Oakland Municipal Code Policies

The Flex Streets parklet program is discussed in Chapter 8.62 of the Oakland Municipal Code. The associated reports and legislation can be found here:

<https://oakland.legistar.com/LegislationDetail.aspx?ID=5400050&GUID=314AC51B-E415-4453-B5E5-09EF3AC8AE41&Options=&Search=>.

The policy provides high level guidance to parklet applicants and permittees. It covers issues including, but not limited to:

## ***Standard Operating Procedure (SOP)***

- Terms and Conditions
- Inspection
- Decision
- Posting
- Design and Layout (at a high level)
- Health and Safety Standards

The ordinance further authorizes the City Administrator to adopt Parklet Design Guidelines in Section 8.62.160.

### **Parklet Guidelines**

The following guidelines were developed to ensure safety and accessibility. They may be updated at any time. Parklet permittees will be notified of updates and date by when permittees must comply.

#### **1. Location & Operations**

- a. Parklets should typically occupy the legal parking spot in front of the Permittee's business. Parklets may only occupy parking in front of adjacent businesses with written consent from the adjacent ground-floor business owner, or building owner in absence of a ground-floor business. This must be provided at each permit renewal (annually).
- b. Each business may only use up to two parking spaces—or three diagonal spaces--per parklet.
- c. The proposed parklet shall not be in a blue, green, yellow, or white zone.
- d. The proposed parklet shall not be in a bus stop, unless coordinated with AC Transit and designed to meet AC Transit's Bus Parklet Design Manual (<https://www.actransit.org/website/uploads/Bus-Parklet-Study-Manual-FINAL-12.26.18.pdf>).
- e. The proposed parklet shall not be in a red zone, a pedestrian safety zone, within 20' of a crosswalk or intersection, or within 40' before an intersection if there is a protected bike lane unless it meets the following requirements:
  - i. The walls must be 36"-42" tall with enclosures that only have 25% visual obstruction (75% transparent) from roadway and pedestrian path
  - ii. The parklet may not have any canopies or fixed structures above 42"
  - iii. The parklet may not encroach into the travel lane. Please see Street Closure application.
- f. Parklets must be in use for at least 50% of business hours.
- g. Parklet shall not prohibit/restrict access to utilities or other facilities such as storm water drainage, fire hydrants, transit stops, driveways, manhole covers, benches, utility poles, signs, parking meters, or public utility valves/covers.

## ***Standard Operating Procedure (SOP)***

### 2. Design

- a. Proposed Parklets are required to comply with the applicable provisions, rules, regulations, and guidelines of California Building Code for guardrails (Title 24, Part 2, Section 2). <https://www.dir.ca.gov/title8/3209.html>
  - i. Proposed parklets shall have protective barriers of a minimum height of 36", maximum height of 42" facing the roadway and adjacent parking spots, with a maximum of 4" spacing off center between vertical members.
  - ii. Parklets are required to have a continuous rigid separation between the parklet and vehicular traffic on all three sides adjacent to the roadway.
- b. **Cross slope:** The overall Parklet cross slope shall not exceed 2% (1:48) in any direction. The walking surface shall have a running slope not steeper than 5% (1:20) per CBC 11B-403.3. If proposed on a street grade greater than 5% slope additional design requirements and review may be required to make the space accessible to the maximum extent technically feasible as defined in the California Building Code.
- c. Continuous opaque walls between the site line of 42" to 90" (preferably 96") that do not allow visibility into the parklet from the surrounding streetscape are prohibited.
  - i. Temporary vertical obstructions, such as mesh screens, between 42" and 90" from the pavement shall be considered a "closed wall" and shall only be permitted when blocking direct sunlight, wind, or rain during hours of operation. Temporary vertical obstructions cannot be fully opaque.
  - ii. Plexiglass or other brands of transparent materials are allowable between 42-90"
- d. **Parklet platforms:** parklets with built platforms must provide structural integrity to ensure public safety by supporting anticipated live loads up to 100 pound per square foot (psf). The below are recommended building standards to meet that structural integrity. Alternative designs must be submitted for review and approval. Required drawings and calculations shall be stamped and signed by a design professional registered in the State of California.
  - i. Parklets should provide a level platform if the cross slope of the occupied parking spot exceeds 2.0% in any direction.
  - ii. Platforms must be constructed from durable materials that can withstand wear and tear of elements. Surface materials must be textured or treated with a non-skid coating to ensure a safe walking surface.
  - iii. Pouring concrete for the parklet platform is prohibited. No features or structural components may be attached to the street roadway, gutter, curb, planting area, or sidewalk.



## ***Standard Operating Procedure (SOP)***

- iv. Platform framing shall be supported on pressure treated lumber or pedestals. Framing shall be a minimum 2x4 floor joists spaced at maximum 24" apart and supported at maximum 3 feet intervals. Provide solid blocking between joists at support locations.
- v. Floor joists shall be secured with appropriate framing angles.
- vi. Platform surface shall be minimum 1x wood decking boards or  $\frac{3}{4}$ " plywood sheathing secured to the framing below. Pavers or other materials may be applied over plywood sheathing.
- vii. The platform threshold must be flush and even with sidewalk and must not leave a horizontal gap greater than  $\frac{1}{2}$  inch, nor a vertical separation greater than  $\frac{1}{4}$  inch.
- viii. Openings in floor or ground surfaces shall not allow passage of a sphere more than  $\frac{1}{2}$  inch diameter. Elongated openings shall be placed so that the long dimension is perpendicular to the dominant direction of travel per [CBC 11B-302.3](#)
- e. **Platforms must allow for a curbside drainage flow.** A 6-inch height by 12-inch width minimum clear gutter space must be provided along the entire length of the proposed platform at the threshold between the parklet and sidewalk. Openings at either end of the parklet may be covered with screens to prevent debris buildup beneath the platform. The parklet permittee is responsible to clean the cover or screen to prevent any backup of storm water.
- f. **Temporary Coverings:** Umbrellas are allowable temporary coverings and must not extend beyond the footprint of the parklet. Other materials or style canopies must meet *Section g. Permanent Parklet Canopies/Roofs* below.
- g. **Permanent Parklet Canopies/Roofs:** Parklets with permanent canopies/roofs must structurally accommodate wind loads. The below are recommended building standards to meet that structural integrity. Alternative designs must be submitted for review and approval. Required drawings and calculations shall be stamped and signed by a design professional registered in the State of California (see [CBC Section 3105](#)).
  - i. Roof canopies may be constructed with plywood sheathing, polycarbonate sheets, or sheet metal. It must be sloped to drain towards the street and away from the sidewalk.
  - ii. Plywood roof sheathing shall be minimum  $\frac{3}{8}$ " thick sheathing and required roof framing minimum 8d nails at 6" spacing at all framing.
  - iii. Corrugate polycarbonate sheets shall be minimum 0.032" thickness and secured to roof framing with minimum #10 x 2" self-drilling/tapping wood screws at crown of every other corrugation. Sheets shall be supported on purlins at maximum 24" spacing. Overlap adjacent corrugated sheets and provide infill closure strips between sheet and framing ends.

## Department of Transportation

### ***Standard Operating Procedure (SOP)***

- iv. Multi-layered polycarbonate sheets shall be minimum 5/16" thickness.
- v. Roof joists shall be minimum 2x4 spaced maximum of 24 inches apart and spanning to beams spaced at maximum 8 feet apart. Beams that support rafters shall be minimum (2)-2x6 or 2x8 and shall be supported by minimum 4x4 posts spaced at maximum 10 feet apart. Elevation of top of roof assembly shall be 8 feet minimum and 10 feet maximum above sidewalk grade.
- vi. Parklet roofs/canopies may not overhang more than 4 inches.
- vii. Note: any canopies/roofs over 400 sf require an additional permit from the Fire Department. See section 5.f.

#### 3. Traffic Safety

- a. The proposed Parklet Site shall be located on a street with a posted speed limit of 30 mph or less.
- b. The following traffic safety measures are required:
  - i. All parklets: rubber wheel stops are required three feet from both ends of the parklet perpendicular to the curb
  - ii. All parklets: reflective posts are required three feet before and after the parklet along the edge of the parklet parallel to vehicular traffic
  - iii. All parklets: object markers, reflective tape, or reflective striping is required along the length of the parklet adjacent to moving traffic, or at minimum, every 5 feet
  - iv. Parklets on 30 mph streets require the following: parklets should include concrete or water-filled k-rails that are installed to meet manufacturers specifications on the portion of the parklet adjacent to moving traffic
    - 1. If businesses are located on a 30 mph street, please consider installation on a side street if possible.
  - v. The proposed parklet shall not encroach on any existing traffic lane, or bike lane. It should remain at least 12" from moving lanes, three (3) feet from adjacent parking spaces, and two (2) feet from active driveways
- c. Parklets shall not encroach upon or overhang the sidewalk. An additional "sidewalk café permit" is required for use of sidewalk space.

#### 4. Accessibility

- a. The proposed Parklet is required to comply with the applicable provisions, rules, regulations and guidelines of California Building Code, the Americans with Disabilities Act (ADA), the 2010 ADA Standards for Accessible Design, and Public Rights-of-Way Accessibility Guidelines (PROWAG). For all other non-Parklets ADA technical requirements, please refer to "ADA Accessibility Guidelines for Businesses Participating in the OakDOT Flex Streets Program" <https://cao-94612.s3.amazonaws.com/documents/ADA-Accessibility->



## ***Standard Operating Procedure (SOP)***

[Guidelines-for-Businesses-Participating-in-the-OakDOT-FlexStreets-Program-9.1.2020.pdf](#)

- b. **Accessible Route:** An unobstructed accessible route connecting the public right of way into the parklet must be provided.
  - i. Parklets entrances/exits are required to be a minimum of 48" wide.
  - ii. Interior circulation route within Parklet, if provided, shall be min 36 inches wide unobstructed.
  - iii. Vertical elevation changes in level of ¼ inch max are allowed; changes in level between ¼ inch to ½ inch shall be beveled with a slope not steeper than 1:2; changes in level greater than ½ inch shall be ramped.
  - iv. Horizontal gap in floor or ground surfaces shall not be more than ½ inch in diameter.
  - v. Floor and walking surfaces shall be stable, firm and slip resistant and shall comply with CBC Section 11B-302. (CBC-11B-302)
  - vi. A wheelchair turning space must be provided entirely within the parklet between the parklet's accessible seating and parklet entrance. The space shall be 60 inches in diameter; a 12" maximum overlap on the curb and sidewalk is acceptable. A T-Turn space per CBC 11B-304.3.2 is also acceptable.
- c. **Ramps:** The preferred parklet design is on the same level with the sidewalk; this allows for greater accessibility and better use of parklet space. If ramps are necessary, they must meet the following guidelines ([CBC 11B-405](#)) which are summarized as follows:
  - i. 48" minimum clear ramp width
  - ii. 8.3% (1:12, or one inch incline per foot) maximum ramp running slope (slope parallel to direction of travel)
  - iii. Cross slope of ramp runs shall not be steeper than 2% or 1:48.
  - iv. Clear level landing at top and bottom of the ramp (4'x4' minimum)
  - v. Unobstructed accessible route from the clear pedestrian path to the ramp
  - vi. Edge protection is required on each side of the ramp. A curb or barrier shall be provided that prevents the passage of a 4-inch diameter sphere. To prevent wheel entrapment, the curb or barrier shall provide a continuous and uninterrupted barrier along the length of the ramp.
  - vii. Ramp material shall be firm, stable and slip resistant. The ramp must be securely attached so it does not move or shift during use.
  - viii. Handrails are required on both sides of the ramp if the slope is more than 5%. ([CBC 11B-403.6](#) and CBC 11B-505.2)
  - ix. Ramp landings subject to wet conditions shall be designed to prevent the accumulation of water.

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### ***Standard Operating Procedure (SOP)***

- d. **Accessible Seating:** The business must provide 5% of each type of seating spaces and standing spaces at the parklet to be accessible (e.g. tables, bar, booth, bench, picnic table, etc.), but at least one (1) type of accessible table/space available for wheelchair users, meeting the following requirements:
  - i. A table or bar surface is between 28 inches minimum and 34 inches maximum above the finish floor or ground
  - ii. At least 27 inches of space from the floor to the bottom of the table
  - iii. Knee clearance that extends at least 19 inches under the table
  - iv. Total clear floor space of 30 inches by 48 inches per seat
  - v. A minimum distance of 4 feet to the nearest obstruction
  - vi. Maintain an unobstructed accessible route [36-inch minimum wide] to the table/seating spaces
  - vii. Built-in seating and Benches ([CBC 11B-903](#)):
    - 1. Parklets with built-in seating and/or benches shall have a minimum of 30"x48" clear ground space (such as a gap in the bench) to accommodate a single stationary wheelchair with occupant.
    - 2. The top of the bench seat surface shall be 17" – 19" high above the finish floor or ground.
    - 3. Bench seats shall be a minimum of 48" long.
    - 4. Bench seats shall be between 20" - 24" deep.
    - 5. Bench seats shall provide for back support or shall be affixed to a wall along its long dimension. Back support shall be 2.5" maximum from the rear edge of the seat measured horizontally.
    - 6. Benches shall be affixed to the wall or floor. Allowable stresses shall not be exceeded for materials used when a vertical or horizontal force of 250 pounds is applied at any point on the seat, fastener, mounting devices, or supporting structure.
    - 7. The surface of the seat shall be slip resistant and shall not accumulate water.
- 5. **Fire Safety**
  - a. Proposed parklet shall not block a fire-hydrant. A 3-foot radius clearance at the fire hydrant along the curb shall be maintained. A 3-foot buffer around the hydrant on all sides should also be maintained.
  - b. All existing Fire Department Connections (FDC), such as a fire sprinkler system or standpipe system, or the signage indicating their location must be visible within the parklet's site line from the roadway.
  - c. The parklet must ensure no tripping hazards across the sidewalk from cords or other equipment in the Public Right of Way.
  - d. **Heaters**

## Department of Transportation

### ***Standard Operating Procedure (SOP)***

- i. Location and type of all heating equipment must be shown on the permit application.
- ii. Heating appliances must be listed and used in accordance with manufacturer's guidelines, these guidelines, and the CA Building Standards Code.
- iii. Parklets with portable heaters must have an accessible fire extinguisher within the parklet
- iv. **Portable electric space heaters** are permitted when operated only in locations specified in the permit. Portable, electric space heaters shall be located at least 3' from any combustible materials, including tent sides, ceiling, umbrellas, and all other combustible materials.
- v. **Portable outdoor gas-fired heaters** may only be used in parklets with no canopy and the combined sidewall area (all 4 sides) at 50% of clear unobstructed openings minimum.
  - 1. **Propane or Liquefied Petroleum Gas (LPG) heaters require a permit from the Oakland Fire Department.** Permits will be granted after field verification. Note that businesses within the high fire severity zone shall not operate LPG heaters during the heightened fire season.
  - 2. Portable outdoor gas-fired heating appliances are not permitted within 3' horizontal and vertical distance from walls or ceilings of tents, canopies or buildings and shall be kept a minimum of 5' horizontal distance from exits from tents, canopies or buildings.
  - 3. Portable heater tanks must be secure and protected from tamper or accidental movement
- vi. Any heaters shall be UL (Underwriters Laboratories) tested and used per manufacture specifications. Manufacture specifications must be kept on site for business reference and viewing if requested by fire inspector.
- vii. Heaters may not sit under trees hanging over the parklet or adjacent to the parklet.
- viii. Materials used on parklets with heaters shall be non-combustible or coated with spray fire retardant. Fire retardant materials must be labeled with the State Fire Marshall's tab on site. It is recommended that parklets without heaters use noncombustible material to allow heaters to potentially be added in the future.
- e. Parklets cannot be located next to combustible waste (ie. Dumpsters).
- f. Parklets with tents that are greater than 400 sf must have a permit prior to use.
- g. Any parklet structure types and heaters may undergo fire inspection at any point.



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### ***Standard Operating Procedure (SOP)***

- h. Parklets must provide a minimum 3' ADA compliant opening for every 20' of curb length facing the sidewalk for emergency egress and ingress. Parklets that are flush with the sidewalk and that are entirely open to the sidewalk side meet this requirement.
- 6. Relocation/Removal
  - a. The Permittee shall be responsible for removal of the Parklet within twenty-four (24) hours for access to the public right-of-way for any projects requiring access. Permittee shall bear all associated costs and are responsible for any damage to the parklet associated with removal/relocation. The City will strive to provide a minimum of 72 hours' notice, as feasible.
  - b. During rare but immediate life-safety emergencies, immediate relocation may be required. Examples include (but are not limited to): fire life emergency, sewer ruptures, etc. Costs shall be incurred by Permittee.

Date Revised     n/a    

\_\_\_\_\_  
Ryan Russo, Director  
Department of Transportation

\_\_\_\_\_  
Date