



City of Oakland
Mayor's Commission on Persons with Disabilities (MCPD)
Monday, May 17, 2021

MINUTES

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

Commissioners: Noah Smith (Chair), Thomas Gregory (Vice Chair), Marjorie Lynne (Vice Chair), Reid Davenport, Cathy Eberhardt, Karen Nakamura, Karina Ryan, Frank Sperling, and Howard Tevelson

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

Presenters: Gregory Minor, Colin Piethe, Pablo Miras, Nigel Brown, Emily Ehlers

Other attendees (from webinar Attendee list): Dave Campbell/ Bike East Bay, Howard Matis, Laura Lane, Madlynn Johnson, Christine DiBella

- 1 Teleconference Protocol, Roll Call/Determination of Quorum
Meeting called to order by Commissioner Gregory at 5:36pm. At roll call, quorum was established with 7 of nine commissioners present (X) and 1 (-) was excused.

Commissioners	Present (x)
Noah Smith (Chair)	-
Thomas Gregory (Vice-Chair)	X
Marjorie Lynne (Vice-Chair)	X
Reid Davenport	X
Cathy Eberhardt	X
Karen Nakamura	X
Karina Ryan	Absent
Frank Sperling	X
Howard Tevelson	X

2. Open Forum
 - There were no comments made during the open forum.
3. Agenda Modification
 - Initially approved with a motion and second by Commissioners Tevelson and Sperling and unanimous vote but later switched order of items 6 and 7 with a motion from Commissioner Tevelson and second from Vice Chair Gregory.
4. Approval of April 2021 Minutes
 - A motion to approve the minutes was made and seconded by Commissioners Eberhardt and Sperling and passed with all voting in favor.
5. Commissioner's Announcements
 - Commissioner Tevelson has re-introduced himself to the Reimagining Public Safety Task Force (RPSTF) as the MCPD liaison. He reached out the Dept of Violence Prevention and Oakland Unite and has not heard back. He has also been in contact with the Police Commission and let them know that MCPD had concerns after the CIT presentation. The Police Commission would like to know what MCPD would like to see with police training. MCPD wants to see training that involves more than just mental health CIT, specifically wants Learning Domain 37 which covers all types of disabilities. Commissioner's please email him with questions you would like answered and what you would like to see. Members of the public please email your comments to adaprograms@oaklandca.gov
 - Commissioner Eberhardt has spoken with local community developer EBALDC about making a presentation to the commission on how they prioritize PWDs and unhoused residents for housing lists. She would like questions we have for them before she approaches a second housing developer (SAHA) to also participate. Questions can be sent to adaprograms@oaklandca.gov.
6. Flex Streets
 - This program started last June to allow businesses the option to re-open outdoors in a limited capacity.
 - Flex Streets was created via an Emergency Order and will expire one month after the expiration of the local COVID-19 emergency.

- Staff recommends that the City Council extend Flex Streets until the spring of next year to provide businesses an opportunity to continue to recover from the economic impacts of COVID-19 and to allow the public additional time to evaluate what aspects of Flex Streets the City should adopt beyond the COVID-19 pandemic.
- A request to extend the program until March 31, 2022 will go before the full City Council on June 1st.
- What does MCPD think this program needs to consider and address prior to rolling out an extended version? What about a permanent version?
- Commissioners noted that sidewalk access for pedestrians and wheelchair users is an issue and that not only the business customers need to be considered when evaluating the program. Lines at entrances and exits/take out windows often make it difficult for anyone to pass. Parklets strung together in the street keep pedestrians crossing in the middle of a block from being able to get to the curb without walking along the parklet in traffic.
- Although parklets have ramps, there does not appear to be enough room for a wheelchair to maneuver in many of them.
- The program was initially designed with required ADA design guidelines in place but without the capacity to monitor compliance.
- Any ADA violations noted with Flex streets should be documented and reported so the business can get a follow up regarding ADA requirements. Email Gregory Minor gminor@oaklandca.gov and adaprograms@oaklandca.gov to report any ADA access issues.

7. High Street Paving Project

- High Street is a fast and dangerous street that has had 225 traffic collisions in the last five years. MCPD received a project overview with various design options for safety improvements. All paving projects funded by measure KK require upgrades to non ADA compliant curb ramps and crosswalk improvements. When doing a grind overlay, as this project is, all sections of ADA must be looked at.
- This project is looking at all the intersections but is not considering stop signs at all the intersections as that would require all way stop warrants which must meet certain standards and the scope of the project would be a Capital Improvement Program project.

- All the sidewalks will be evaluated and the city will repair all city facility sidewalks and those damaged by city trees. Property owners will be notified if their sidewalks need repair. If they do not respond to this notice, the city will have their contractor do the repairs and deal with the property owner later.
- Because of a severe difference in grade between the street and the sidewalk, in some locations it is not possible to exit a vehicle on the passenger side in the parking lane.
- The issue will be difficult to address because full ADA accessibility in those circumstances would make it dangerous for people to enter their own homes.
- The design planning on this project has not been started so it is difficult to say how much can be addressed with this project but major improvements would be a Capital Improvement Program project.
- Resident experiences in attempting to navigate a wheelchair on High Street include:
 - Having to use the street because the sidewalks are in such disrepair they cannot be traveled on in a wheelchair.
 - The streets are so concave that the footrest gets stuck and they have to back their chair out of them.
 - Vehicles blocking the sidewalk by using curb cuts as their driveways and parking enforcement stating they are legally parked.
 - Pedestrian push buttons on recently installed signals on traffic islands can't be reached because there is a curb in front of them.
 - There are no streetlights at the intersections.
- Original plans considered a bike lane but the issues and trade-offs involved have the planning moved away from that option. A resident who uses a wheelchair states that if the sidewalks cannot be made fully accessible, they support the bike lane because they will be safer there than in full traffic.
- The sidewalk vehicle parking is an issue throughout the city and it is likely that there are many curb cuts that once gave access to a formal parking spot but no longer do.
- Commissioners state that blocking a sidewalk is illegal under ADA and that parking enforcement needs to be advised that the MCPD wants to see them address all parking violations impacting accessibility.

8. Post Covid MCPD Meeting Preferences

- The commission will begin to consider the option of continuing the on-line monthly meetings once they are no longer required due to Covid restrictions.
- Currently the option of in person meetings and the addition of having on-line meeting simultaneously is not a possibility.
- There is currently the opportunity to consider all of the advantages and disadvantages involved in the choice.
- The issue will be voted on at a future meeting date and will be on the agenda.

9. Adopted Targeted Strategic Plan Goals for 2021

- Motion to adopt the Strategic Plan Goals for 2021, with the corrections from Commissioner Tevelson, was made by Vice Chair Gregory, seconded by Commissioner Tevelson, and approved unanimously by the commission.

10. Staff Updates and Announcements

- The mayor has put out her proposed budget and it is available online. [A-1 - Landing Page \(opengov.com\)](#) and [City of Oakland | Mayor Schaaf proposes \\$3.85 billion “Just Recovery...” \(oaklandca.gov\)](#)
- DOT may receive an increase in staffing for vehicle enforcement which can help address the city ADA accessibility issue of blocked sidewalks if the propose budget is passed.

11. Future Agenda Items

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

12. Adjournment

- Motion to adjourn, made by Commissioner Tevelson, seconded by Commissioner Davenport, and approved unanimously. The meeting was adjourned at 7:23 pm.