



## City of Oakland

Mayor's Commission on Persons with Disabilities (MCPD)

Monday, November 18, 2019

5:30 p.m. – 7:30 p.m.

Sergeant Mark Dunakin Room, First Floor

One Frank H. Ogawa Plaza (City Hall), Oakland, CA 94612

### Agenda

1. Roll Call and Determination of Quorum (5:30 p.m.)
2. Open Forum (5:35 p.m.)  
*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 at the time the item is being considered.*
3. Agenda Modification and Approval (5:40 p.m.)
4. Approval of October 19, 2019 Minutes **(Exhibit A)**
5. Chair Report; *Karen Nakamura, Chair* (5:45 p.m.)
6. Commissioner's Announcements (5:50 p.m.)  
*Commissioners will provide brief updates.*
7. Annual Report on City of Oakland Web Content Accessibility (6:00 p.m.)  
*Karen Boyd, Citywide Communications Director from the City Administrator's Office, will present an annual report on the status of implementing the ADA Effective Communications Policy, specifically on progress made towards full Web Content Accessibility Guidelines (WCAG) 2.0 AA+ compliance in the City's web content and use or development of other information and communications technologies. **(Exhibit B)***
8. Strategic Planning Retreat Follow-up (6:30 p.m.)  
*Commissioners will discuss the draft Strategic Plan for 2020. **(Exhibit C)***

9. Staff Updates and Announcements (7:00 p.m.)  
*Anh Nguyen, ADA Programs Division Manager*

10. Adjournment

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.



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**City of Oakland**  
Mayor's Commission on Persons with Disabilities (MCPD)  
**Special Annual Retreat**  
Monday, October 19, 2019

**Draft Minutes**

1. Roll Call and Determination of Quorum at 10:12 a.m.
  - 8 Commissioners present: Davenport, Gregory, Lynne, Nakamura, Ryan, Smith, Sperling, Tevelson
2. Open Forum
  - None
3. Agenda Modification and Approval
  - Chair Report will become agenda item 5, and Opening Remarks and Retreat Review by ADA Division Manager (train delayed) will become agenda item 6.
  - Motion to approve agenda with modification: Sperling  
Seconded by Gregory
4. Approval of September 16, 2019 Minutes
  - Motion to approve agenda without modification: Tevelson  
Seconded by Gregory
5. Chair Report; *Karen Nakamura, Chair*
  - Chair Nakamura presented an orientation for Commissioners:
    - Background and Predecessors of the ADA
    - Duties and Function of the MCPD
    - MCPD Limitations
    - Staff Limitations
    - Current and Future Challenges
6. Opening Remarks and Retreat Overview; *Anh Nguyen, Manager, ADA Programs Division*
  - Mr. Nguyen opened with an icebreaker asking Commissioners and staff to share something unique about themselves.

- He reaffirmed the purpose of the retreat for team building and strategic planning update as well as shared ground rules.
7. MCPD Strategic Planning for 2020; *Facilitator, Yvonna Cazares, Director of Community Engagement, Office of the Mayor*
    - Remove Objective 1.3 (Accessibility of Oakland's Fixed Route Transit Systems) because initial concerns have been relieved and Objective 1.6 (Complete Streets) because it is on-going.
    - Add language to Goal Area 1 – Transportation: Keep access to Oakland's new and existing transportation amenities ensuring access in Oakland's growing infrastructure.
  8. Public Comments on Strategic Planning
    - Ms. Fisher asked about the differences in the Commissions and ADA office organization and staffing in Oakland and San Francisco.
  9. Lunch Break at 11:50 a.m.
  10. MCPD Strategic Planning for 2020 resumed at 1:17 p.m.
    - Shorten Objective 2.1 language as follows: MCPD will review the content and consider the adequacy of Oakland Police Department (OPD) current policies concerning person with disabilities, including Crisis Intervention Training (CIT).
      - Resources/Stakeholders: Sergeant Doria Neff, who presented to MCPD in the past while serving as OPD CIT Coordinator, is now the supervisor for the OPD Mental Health Unit. She will present to MCPD again in 2020.
      - Barriers/Issues: Staff changes and uncertainty over what policies OPD is currently implementing in regards to engaging with persons with disabilities.
      - Commissioner Tevelson will check with the Police Commission liaison about possibility of CAHOOTS model of intervention for mental health crisis and any complaints regarding OPD and persons with disabilities.

- Objective 2.2: Improve public safety services for persons with disabilities during emergencies and natural disasters
  - There was much discussion about Public Safety Power Shutoff (PSPS):
    - Concerns about in-home source of back-up energy for electric-powered durable medical equipment (one fatality in California during PSPS)
    - Refrigeration for medication
    - PG&E grants: advocacy to City Council and California Public Utilities Commission
    - PG&E and ADA compliance
- Remove Goal Area 3 – Community Engagement
  - Add column for community engagement for all objectives
  - The Commissioners monitoring each objective will be responsible for community engagement for that objective.
- Objective 4.1: ADA Transition Plan
  - Centralize role of ADA Division
  - Appropriately locate, fund, and staff ADA Division
  - Increase funding for programs and services
  - Ask City Council to study the above
- Remove Objective 4.2: advocate for equitable prioritization of Measure KK funds for infrastructure improvements that serve the disabled community
- Add language for Goal Area 5: Ensure ADA-compliant housing stock
  - Add incentives/credits for accessory dwelling units (a.k.a. granny flats, secondary units) that provide housing to people with disabilities
    - Waive permit fees; move applicants to front of line for ADA sidewalk repair requests
    - ADA-compliant garage door openers and ramps
    - See City of San Jose and Alameda ordinances

- Housing Fair as community engagement: MCPD and ADA staff do not have the capacity to do that, but nonprofits do.
- Another idea is to co-sponsor a Disability Voter Forum like San Francisco does every year.
- Change language in Objective 5.1: Ensure accessibility and affordability of housing in Oakland
  - Renter's rights
    - Mold mitigation
    - Advocating to extend home modification program eligibility to renters might be too difficult to achieve
  - New proposed housing
    - Increase housing stock right now
    - Rent control lawsuit regarding affordable housing
- Objective 5.2: Homeless/unhoused
  - Prevention: workforce/employment
  - Accessibility of shelters
  - First floor units
  - Getting data, e.g. invite EveryoneHome.org regarding point-in-time homeless census/data collection

11. Public Comments on Strategic Planning

- None

12. Retreat Evaluation / Closing Remarks; *Anh Nguyen, Manager, ADA Programs Division*

13. Adjourned at 2:29 p.m.

**EXHIBIT A.1 for Attachment to Minutes of Event Date**  
**City of Oakland Mayor's Commission on Persons with Disabilities**  
**Meeting for October 19, 2019**

**COMMISSIONERS ROLL CALL**

Quorum Established: <b>Y</b>	<b>Present</b>	<b>Excused Late</b>	<b>Arrive Late</b>	<b>Leave Early</b>	<b>Absent</b>	<b>Excused</b>	<b>Non-voting status</b>
Number Voting Members Present: <b>8</b>							
Chairperson Karen Nakamura	<b>X</b>						
Vice Chair Frank Sperling	<b>X</b>						
<b>COMMISSIONERS</b>							
Reid Davenport	<b>X</b>						
Sarah Garner			<b>1:17 p.m.</b>				
Thomas Gregory	<b>X</b>						
Marjorie Lynne	<b>X</b>						
Lester Meu					<b>X</b>	<b>X</b>	
Karina Ryan	<b>X</b>						
Noah Smith	<b>X</b>						
Howard Tevelson	<b>X</b>						
Vacant							
Staff: Anh Nguyen, ADA Programs Manager Hoang Banh, ADA Program Analyst							
Interpreters: none							

**EXHIBIT A.2 for Attachment to Minutes of Event Date**

**SIGN IN SHEET**

**Mayor's Commission on Persons with Disabilities  
Meeting for October 19, 2019**

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(Y/N)**

**Name            Agency            Email            Phone    Address**

Audrey Fisher, [msinberkeley@gmail.com](mailto:msinberkeley@gmail.com), Y



# Introduction to the MCPD

Oakland Mayor's Commission on Persons with Disabilities

Prepared by MCPD Chair Karen Nakamura for the 2019.10 MCPD Retreat

# Background and Predecessors 1/3

- ▶ 1973: Rehabilitation Act signed by Congress
  - ▶ Section 504: “no otherwise qualified handicapped individual in the United States shall solely on the basis of his handicap, be excluded from the participation, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.”
  - ▶ But no regulations for 504 issued were issued btw 1973 - 1977
- ▶ 1977.4.5 – 5.4: The 504 Movement sit-ins – longest was SF
- ▶ 1977.4.28: **Rehabilitation Act Section 504** regulations signed
  
- ▶ 1980.8.5: **Commission on Disabled Persons** was established by the Oakland City Council by Ordinance No. 9968 C.M.S. for the purpose of advising, reviewing and commenting on programs, services, City of Oakland activities, funding opportunities, and all matters affecting persons with disabilities in the community. **We predate the ADA by a decade!**

## Background and Predecessors 2/3

- ▶ **Americans with Disabilities Act** went into effect in 1990 and re-upped in 2008
- ▶ “The Americans with Disabilities Act of 1990 (ADA), and as amended in 2008, extended Section 504's anti-discrimination mandate ... and [similarly] contained the requirement of a self-evaluation and the participation of interested persons in conducting the evaluation, including individuals with disabilities and other disability stakeholders.
- ▶ The ADA further required the adoption of a Transition Plan ("Plan") for prioritizing barrier removal activities based on the self-evaluation findings . In addition to contributing to the plan development, one of the MCPD's primary activities has been monitoring the City's compliance with the Plan.

# Background and Predecessors 3/3

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# Duties and Function 1/2

The duties and functions of the Commission on Persons with Disabilities shall be as follows:

- ▶ A. The Commission shall advise the City Council on service, funding opportunities and all matters affecting the disability community.
- ▶ B. The Commission shall review and comment on all community policies, programs and actions which affect persons with disabilities.
- ▶ C. The Commission shall render advice and assistance to other City boards and Commissions, to City departments and to private agencies on matters affecting the disability community .
- ▶ The Commission shall identify the needs of the disability community and create a citizen awareness of these needs via outreach and education in Oakland and for City staff. Activities shall be aimed at increasing awareness and access for people with disabilities to local, state and federal programs, and at increasing opportunities to fully engage in civic and cultural life.

## Duties and Function 2/2

- ▶ E. The Commission shall promote the total integration of disabled persons with disabilities into all aspects of the community.
- ▶ F. The Commission shall submit regular status reports to the City Council committee ...
- ▶ G. Status reports submitted in fulfillment of subsection F above must include a detailed description of operating and staffing needs, to be developed and maintained by the department responsible for staffing and administration of the Commission .
- ▶ **H. Each year, the Commission shall review the annual goals and objectives of the City Council. Review of City Council goals and objectives shall be undertaken to provide the Commission the opportunity to better integrate the activities of the Commission with the City's overall goals and objectives.**
- ▶ I. City Council approval must be obtained prior to the creation of any additional standing committee of the Commission....
- ▶ J. The Commission shall perform such other functions and duties as may be directed by the City Council.

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# MCPD Limitations

- No budget
- No formal power

# ADA Staff Limitations

- ▶ Little budget
- ▶ Severely understaffed
- ▶ Located in OakDOT, limited reach



# What do we do? What can we do?

- ASK
- DOCUMENT
- EDUCATE & INFORM

# Current and Future Challenges

- Regional disaster and crisis planning
- Housing and homelessness crisis – lack of accessible, affordable housing
- DT Oakland revisioning
- Transportation – both traditional (BART, AC Transit, Paratransit) to new Uber/Lyft/micromobility
- And more.....