



Human Welfare and Community Action Commission

AGENDA

Wednesday, March 15, 2023
6:30 PM

PUBLIC ADVISORY: THIS MEETING WILL BE AVAILABLE TO ATTEND AT TWO DIFFERENT LOCATIONS.

MEETING LOCATION #1

Frances Albrier Community Center
2800 Park Street
Berkeley, CA 94702

MEETING LOCATION #2

1447 Kains Avenue
Berkeley, CA 94702

Preliminary Matters

1. Roll Call
2. Agenda Approval
3. Public Comment

Update/Action Items

The Commission may take action related to any subject listed on the agenda, except where noted.

Berkeley Community Action Agency Board Business

4. Approve minutes from the 2/15/2023 Regular Meeting (Attachment A) – All
5. Review City of Berkeley funded agency Program and Financial reports (Attachment B) — Staff
 - a. Through The Looking Glass program and financial reports

Other Discussion Items

6. Discussion and possible action on holding a concurrent meeting with the Commission on Disabilities regarding action items of mutual interest, including but not limited to road plans; integral universal design planning and oversight; and gaps and redundancies in existing service, as well as accessibility on the City's website and next steps when the City fails to comply with local, state, and or federal law – Behm-Steinberg

7. Discussion and possible action to submit to Council a letter supporting the Commission on Aging’s communication and the Commission on Disability’s input regarding proposed changes to the Hopkins Corridor (Attachment C)
8. Update and discussion about the City’s current mechanisms for City employees and service providers to communicate (Attachment D) – Commissioner Behm-Steinberg
9. Discussion and possible action regarding draft Council item “Requirements for Contracted Non-Profit Service Providers and Transparency of Grant Reports” – Commissioner Behm-Steinberg (Attachment E)
10. Discussion and possible action regarding draft Council item “Eligibility for Service as a Representative of the Poor” – Commissioner Behm-Steinberg
11. Discussion and possible action regarding draft Council item “Accessibility and Availability of Materials on City Website” – Commissioner Behm-Steinberg (Attachment F)
12. Discussion and possible action for the letter of support for Center for Independent Living’s action on Pathways STAIR Center - Commissioner Behm-Steinberg
13. Discussion and possible action regarding draft Council item “Accessibility Quality Assessment program to handle non-conforming public facilities and complaints from seniors and disabled people over substandard services or services not provided” (Attachment G)
14. Review latest City Council meeting agenda
15. Announcements
16. Future Agenda Items

Adjournment

Attachments

- A. Draft Minutes of the 2/15/2023 Meeting
- B. Program and financial reports from Through The Looking Glass
- C. Hopkins Corridor letters of support
- D. “The Hunger Games of Homeless Services” article from www.shelterforce.org
- E. Draft letter “Requirements for Contracted Non-Profit Service Providers and Transparency of Grant Reports”
- F. Draft letter “Accessibility and Availability of Materials on City Website”

G. Draft Council item “Accessibility Quality Assessment program to handle non-conforming public facilities and complaints from seniors and disabled people over substandard services or services not provided”

Review City Council Meeting Agenda at City Clerk Dept. or
<http://www.cityofberkeley.info/citycouncil>

Communications

Communications to Berkeley boards, commissions or committees are public record and will become part of the City's electronic records, which are accessible through the City's website. **Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to a City board, commission or committee, will become part of the public record.** If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the secretary of the relevant board, commission or committee. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the secretary to the relevant board, commission or committee for further information. Any writings or documents provided to a majority of the Commission regarding any item on this agenda will be made available for public inspection at Housing and Community Services Department located at 2180 Milvia Street, 2nd Floor.

This meeting is being held in a wheelchair accessible location. To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at 981-6418 (V) or 981-6347 (TDD) at least three business days before the meeting date. **Please refrain from wearing scented products to this meeting.**

Secretary:

Mary-Claire Katz
Health, Housing & Community Services Department
510-981-5414
mkatz@CityofBerkeley.info

Mailing Address:

Human Welfare and Community Action Commission
Mary-Claire Katz, Secretary
2180 Milvia Street, 2nd Floor
Berkeley, CA 94704



Human Welfare and Community Action Commission

DRAFT MINUTES

Wednesday, February 15, 2023

6:30 PM

PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED EXCLUSIVELY THROUGH VIDEOCONFERENCE AND TELECONFERENCE

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, this meeting of the Housing Advisory Commission will be conducted exclusively through teleconference and Zoom videoconference. Please be advised that pursuant to the Executive Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, there will not be a physical meeting location available.

To access the meeting remotely using the internet: Join from a PC, Mac, iPad, iPhone, or Android device: Use URL –<https://zoom.us/j/4863098496>

If you do not wish for your name to appear on the screen, then use the drop down menu and click on "rename" to rename yourself to be anonymous. To request to speak, use the "raise hand" icon on the screen. **To join by phone: Dial 1-669-900-6833 and Enter Meeting ID: 486 309 8496.** If you wish to comment during the public comment portion of the agenda, press *9 and wait to be recognized by the Chair.

Preliminary Matters

1. Roll Call
Present: Behm-Steinberg, Sood, Zou.
Absent: None.
Quorum: 3 (Attended: 3).
Staff Present: Mary-Claire Katz.
Public Present: Michai Freeman.
2. Agenda Approval
No agenda changes were made.
3. Public Comment
None.

Update/Action Items

The Commission may take action related to any subject listed on the agenda, except where noted.

Berkeley Community Action Agency Board Business

4. Approve minutes from the 2/8/2023 Regular Meeting (Attachment A) – All
Action: M/S/C (Behm-Steinberg/Sood) to approve the minutes.
Vote: Ayes – Behm-Steinberg, Sood, Zou; Noes – None; Abstain – None; Absent – None.

5. Elect Vice Chair
Action: M/S/C (Behm-Steinberg/Sood) to elect Zou as vice chair.
Vote: Ayes – Behm-Steinberg, Sood, Zou; Noes – None; Abstain – None; Absent – None.
6. Review City of Berkeley funded agency Program and Financial reports (Attachment B) — Staff
 - a. Berkeley Free Clinic program and financial reports
No action taken.

Other Discussion Items

7. Presentation regarding the Hopkins Corridor Plan – Chair Freeman of the City of Berkeley Commission on Disability
8. No action taken.
9. Update and possible action regarding a mechanism for City employees and service providers to communicate (Attachment C)– Commissioner Behm-Steinberg
No action taken.
10. Discussion and possible action regarding draft Council item “Requirements for Contracted Non-Profit Service Providers and Transparency of Grant Reports” – Commissioner Behm-Steinberg (Attachment D)
No action taken.
11. Discussion and possible action regarding draft Council item “Eligibility for Service as a Representative of the Poor” – Commissioner Behm-Steinberg (Attachment E)
No action taken.
12. Discussion and possible action regarding draft Council item “Accessibility and Availability of Materials on City Website” – Commissioner Behm-Steinberg (Attachment F)
No action taken.
13. Discussion and possible action regarding draft Council item “Accessibility Quality Assessment program to handle non-conforming public facilities and complaints from seniors and disabled people over substandard services or services not provided” (Attachment G)
No action taken.
14. Review latest City Council meeting agenda
No action taken.

15. Announcements

None.

16. Future Agenda Items

None.

Adjournment

Action: M/S/C (Behm-Steinberg/Sood) to adjourn at 8:00PM.

Vote: Ayes – Behm-Steinberg, Sood, Zou; Noes – None; Abstain –None; Absent – None.

Attachments

- A. Draft Minutes of the 2/8/2023 Meeting
- B. Program and financial reports from Berkeley Free Clinic
- C. Draft Council item “Project Wiki for City Staff and contracted agencies to share information”
- D. Draft Council item “Requirements for Contracted Non-Profit Service Providers and Transparency of Grant Reports”
- E. Draft Council item “Eligibility for Service as a Representative of the Poor”
- F. Draft Council item “Accessibility and Availability of Materials on City Website”
- G. Draft Council item “Accessibility Quality Assessment program to handle non-conforming public facilities and complaints from seniors and disabled people over substandard services or services not provided”

Review City Council Meeting Agenda at City Clerk Dept. or
<http://www.cityofberkeley.info/citycouncil>

Communications

Communications to Berkeley boards, commissions or committees are public record and will become part of the City's electronic records, which are accessible through the City's website. **Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to a City board, commission or committee, will become part of the public record.** If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the secretary of the relevant board, commission or committee. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the secretary to the relevant board, commission or committee for further information. Any writings or documents provided to a majority of the Commission regarding any item on this agenda will be made available for public inspection at Housing and Community Services Department located at 2180 Milvia Street, 2nd Floor.

This meeting is being held in a wheelchair accessible location. To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at 981-6418 (V) or 981-6347 (TDD) at least three business days before the meeting date. **Please refrain from wearing scented products to this meeting.**

Secretary:

Mary-Claire Katz
 Health, Housing & Community Services Department

Mailing Address:

Human Welfare and Community Action Commission
 Mary-Claire Katz, Secretary

Draft Minutes – HWCAC
February 15, 2023
Page 4 of 4

510-981-5414
mkatz@CityofBerkeley.info

2180 Milvia Street, 2nd Floor
Berkeley, CA 94704

[Return to Reports Page](#)

**CITY OF BERKELEY
COMMUNITY AGENCY STATEMENT OF EXPENSE
01/01/2022 TO 03/31/2022**

Note: Any variation from the Approved Budget exceeding ten percent (10%) requires a Budget Modification Form.

Agency Name: [Through The Looking Glass](#) Contract #: 31900258
 Program Name: [Berkeley Parenting & Disability Project](#) PO #: 22001208
 Funding Source : General Fund

Expenditure Category	Staff Name	Approved Budget	Jul-Sep 2021	Oct-Dec 2021	Jan-Mar 2022	Apr-Jun 2022	Total Expenditure	Budget Balance
Clinical Director	Sherrie Hansen	\$1,200.00					\$0.00	\$1,200.00
Family Support Specialist	Jennifer Bregante	\$4,788.00					\$0.00	\$4,788.00
Family Clinician, bilingual (Spanish)	Brie Robertori	\$3,288.00	\$757.08	\$48.39	\$61.98		\$867.45	\$2,420.55
Family Clinician 1	Abigail Laniel	\$3,300.00	\$305.94	\$218.44	\$210.24		\$734.62	\$2,565.38
OT, Parent workshop leader	Nicole Wright	\$1,528.00		\$0.00			\$0.00	\$1,528.00
OT, bilingual (Spanish)	Sharon Bergmann	\$983.00	\$458.43	\$981.68	\$183.65		\$1,623.76	\$-640.76
Project Coordinator	Nicolee Brorsen	\$1,376.00	\$207.95	\$359.65			\$567.60	\$808.40
Developmental specialist	Clay Hays	\$900.00	\$245.47	\$633.86	\$463.88		\$1,343.21	\$-443.21
Taxes/Benefits		\$4,047.00	\$158.19	\$187.43	\$1,890.84		\$2,236.46	\$1,810.54
Rent		\$1,826.00	\$165.47	\$185.00	\$205.26		\$555.73	\$1,270.27
Utilities		\$53.00					\$0.00	\$53.00
Insurance		\$341.00	\$35.65	\$25.72	\$60.92		\$122.29	\$218.71
Communications		\$735.00	\$22.00	\$7.58	\$33.14		\$62.72	\$672.28
Office Supplies		\$158.00	\$36.39	\$58.14	\$53.52		\$148.05	\$9.95
Transportation		\$210.00	\$56.22		\$34.60		\$90.82	\$119.18
Indirect Costs		\$2,473.00	\$244.88	\$270.59	\$785.88		\$1,301.35	\$1,171.65
*Parent workshop co-leader, bicultural				\$0.00			\$0.00	\$0.00
Family Clinician 1, bicultural/bilingual	Ana Aviles				\$50.53		\$50.53	\$-50.53
Doctor Intern	Christopher George				\$3,426.07		\$3,426.07	\$-3,426.07
Family Partner	Angela James (Noland)				\$306.69		\$306.69	\$-306.69
Executive Director	Megan Kirshbaum				\$23.68		\$23.68	\$-23.68
Doctor Intern	Michele Mikeska				\$68.69		\$68.69	\$-68.69
Family Partner	Karen Ann Horr				\$9.53		\$9.53	\$-9.53
Practicum Trainee	Jessica McCarrick				\$26.01		\$26.01	\$-26.01
Doctor Intern	Ananda Patterson				\$306.69		\$306.69	\$-306.69
Practicum Trainee	Daniel Sager				\$255.39		\$255.39	\$-255.39
*PsyD-L	Tanisha Stewart				\$187.49		\$187.49	\$-187.49
TOTAL		\$27,206.00	\$2,693.67	\$2,976.48	\$8,644.68		\$14,314.83	\$12,891.17

Advances Received \$6,802.00
 Underspent/(Overspent) (-\$7,512.83)

Explain any staffing changes and/or spending anomalies that do not require a budget modification at this time:

Upload of Resumes for New Staff (required):

- Expenditures reported in this statement are in accordance with our contract agreement and are taken from our books of account which are supported by source documentation.
- All federal and state taxes withheld from employees for this reporting period were remitted to the appropriate government agencies. Furthermore, the employer's share or contributions for Social Security, Medicare, Unemployment and State Disability insurance, and any related government contribution required were remitted as well.

Prepared By: [Mary Shinault](#)

Email: mshinault@lookingglass.org

Date: 10/10/2022

Authorized By: [Megan Kirshbaum](#)

Email: mkirshbaum@lookingglass.org

Name of Authorized Signatory with Signature on File

Approved By:		Examined By:		Approved By:	
Mary-Claire Katz	10/26/2022				
Project Manager	Date	CSA Fiscal Unit	Date	CSA Fiscal Unit	Date

Initially submitted: Oct 10, 2022 - 15:55:54

[Return to Reports Page](#)

**City of Berkeley
Community Agency
CLIENT CHARACTERISTICS REPORT**

Contract No: 31900258

Agency:	Through The Looking Glass	Period of:	1st Half 2023
Program:	Berkeley Parenting & Disability Project	Report Prepared By:	Nicolee Brorsen
Phone:	510-225-7556	E-mail:	nbrorsen@lookingglass.org , mkirshbaum@lookingglass.org

1. CLIENT SUMMARY - 1st Half

	1st Half	YTD
A. Total New Clients Served by the Program (Berkeley and Non-Berkeley)	41	41
B. Total New Berkeley Clients Served for Whom You Were Able to Gather Statistics on Age, Race/Ethnicity, and Income:	41	41
C. Total New Berkeley Clients Served for Whom You Were NOT Able to Gather Statistics on Age, Race/Ethnicity, and Income:	0	0
D. Total New Berkeley Clients Served:	41	41

2. DEMOGRAPHIC DATA

RACE - Unduplicated Count	Previous Periods		Report Period		Year-To-Date	
	Non-Hispanic	Hispanic Ethnicity	Non-Hispanic	Hispanic Ethnicity?	Non-Hispanic	Hispanic Ethnicity
Single Race Categories						
American Indian/Alaskan Native	0	0			0	0
Asian	0	0			0	0
Black/African American	0	0	15		15	0
Native Hawaiian/Pacific Islander	0	0			0	0
White	0	0	7	6	7	6
Combined Race Categories						
American Indian/Alaskan Native & White	0	0		12	0	12
Asian & White	0	0			0	0
Black/African American & White	0	0		1	0	1
American Indian/Alaskan Native & Black/African American	0	0			0	0
Other Combined Race Categories	0	0			0	0
TOTALS	0	0	22	19	22	19
TOTAL SERVED	0		41		41	

3. INCOME LEVEL

Income Level - Unduplicated Count	Previous Periods	This Period	YTD
Poverty	0	35	35
Poverty to 30% of AMI (Ex. Low)	0	2	2
31-50% of AMI (Low)	0		0
51-80% of AMI (Moderate)	0		0
Above 80% of AMI	0	4	4
TOTALS	0	41	41

4. AGE

Age - Unduplicated Count	Previous Periods	This Period	YTD
0-5	0	4	4
6-11	0	10	10
12-17	0	5	5
18-24	0	4	4
25-44	0	6	6
45-54	0	6	6
55-61	0	2	2
62 and Over	0	4	4
Unknown	0		0
TOTALS	0	41	41

5. OTHER CHARACTERISTICS

Other Characteristics - Unduplicated Count	Previous Periods	This Period	YTD
Female	0	22	22
Male	0	19	19
Other			
Disabled	0	19	19
Homeless	0	5	5
Chronically Homeless	0	4	4

6. SERVICE MEASURES

Service Measures	Annual Goal		1st Half		2nd Half		Served YTD		% Served		Total Clients
	UOS	New Clients	UOS	New Clients	UOS	# of Existing Clients	New Clients	Total UOS	Total New Clients	UOS	
**** Disability Services ****											
1 Client Sessions	775	55	426	41				426	41	55%	75%

1st Half Narrative

We are ahead of schedule to meet projected UOS, using a combination of funding sources to meet the needs of the complicated families we serve. Forty clients (ten households) have enrolled in the Parenting & Disability program; one family of five has transitioned out. As reported above, nineteen household members (children and/or caregivers) have disabilities; eight households have at least two members with disabilities or medical conditions significant enough to impact their daily lives. The family that has been chronically homeless (homeless for 1 year) recently secured a rental apartment.

7. OUTCOMES

Outcomes	Annual Goal	1st Half Achieved Outcome	2nd Half Achieved Outcome	Achieved Outcome YTD	% Achieved Outcome of Annual Goal	% Achieved Outcome of Total Served
1 Clients accessed previously inaccessible services	44	41		41	93%	100%
1 Clients demonstrate improved functioning	44	5		5	11%	12%
1 Participants achieved enhanced skills or knowledge	44	5		5	11%	12%

1st Half Narrative

The staff who serve these families bring specialized knowledge and often have personal and/or close family experience with living with disability, which makes our services uniquely accessible. Most of the families served have multiple stressors and trauma issues in addition to disabilities. Therefore, progress on skills and functioning tends to be gradual. The outcomes for improved functioning and enhanced skills/knowledge, as well as the survey, will be reported on in the end-of-year report for all but one family since we are continuing to serve them.

Uploaded Attachments: 8. PROGRAM SATISFACTION SURVEY

Question		Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	Does Not Apply	I Do Not Understand This Question	Total Number of responses
1. I am satisfied with the services I have received from this program.	This Period					5			5
	Prior Periods								0
	Total	0	0	0	0	5	0	0	5
	% of Total	0%	0%	0%	0%	100%	0%	0%	100%
2. This program's staff treated me with respect.	This Period					5			5
	Prior Periods								0
	Total	0	0	0	0	5	0	0	5
	% of Total	0%	0%	0%	0%	100%	0%	0%	100%
3. This program helped me make progress towards my goals.	This Period					5			5
	Prior Periods								0

	Total	0	0	0	0	5	0	ATTACHMENT B	5
	% of Total	0%	0%	0%	0%	100%	0%	0%	100%
4. This program met my needs.	This Period					5			5
	Prior Periods								0
	Total	0	0	0	0	5	0	0	5
	% of Total	0%	0%	0%	0%	100%	0%	0%	100%
Additional Questions:									
5. As a direct result of participating in the program I have an increased understanding of community resources and supports.	This Period					5			5
	Prior Periods								0
	Total	0	0	0	0	5	0	0	5
	% of Total	0%	0%	0%	0%	100%	0%	0%	100%
6. As a direct result of participating in the program I have enhanced skills and/or knowledge.	This Period					5			5
	Prior Periods								0
	Total	0	0	0	0	5	0	0	5
	% of Total	0%	0%	0%	0%	100%	0%	0%	100%
7. Additional comments from consumers completing the survey									

Date Signed 01/31/2023

Approved By Mary-Claire Katz
Date Signed 03/06/2023

Initially submitted: Jan 31, 2023 - 12:43:52

Internal

To: City Council

From: Commission on Aging

Re: Hopkins Corridor Reconsideration

Mayor and Councilmember's,

As regards the reconsideration of the Hopkins corridor project, after examining the situation, receiving much public comment from Berkeley's Elder population (as well as a number of younger citizens) and gathering information from individual commissioners who've attended various public meetings focused on the issue, the Commission on Aging's recommendation is that there should be very little change to the Hopkins corridor from Mc Gee St to San Pablo Ave. We strongly feel that the simple repaving of the corridor should move forward, but that an investment should be made in a few relatively minor additions. Those additions are:

1. A stop sign on Hopkins at McGee St.
2. A signal at the corner of Monterey and Hopkins that allows for pedestrian crossing (as well a cyclists who choose to dismount their bikes) for an extended period in all directions at once, including diagonally.
3. Signage and pavement markings that encourage the use of Ada St. for through east-west cycling.
4. A highly visible "Hawk" signal at the corner of Sacramento and Ada.

As supplement to these additions the Commission also considered these possibilities:

5. Making Ada St. one way running to the east from Ordway to Sacramento for safer cycling while preserving residential parking.
6. A protected bike lane from Ordway to the Ohlone Greenway on the south side of Hopkins.
7. A stop sign at the corner of Ordway and Hopkins.
8. Designated areas near the corner of Hopkins and Monterey where cyclists can safely park and lock their bikes.
9. Designating the area as a historical district, installing signage indicating this and imposing a 15 mph speed limit in the area.

The Existing Situation:

The commercial strip near the corner of Hopkins and Monterey was built out many years ago near what has become somewhat of a transportation bottleneck over those years as automobile traffic predominately from Gilman and Sacramento Streets has increased. That said, even during rush hour the combination of through traffic, the local traffic generated by the long-lived shops and markets as well as pedestrian traffic and the needed parking process remains manageable in this vibrant area.

As far as bicycle traffic goes, through traffic seems to be predominately choosing various alternative, arterial routes to avoid the area closest the most dangerous intersection - the intersection of Hopkins and Sacramento. For example, those coming down Monterey St. will take Posen to Peralta to access the Ohlone Greenway or areas further west. Those trying to reach North Berkeley Bart will turn left at Monterey (or McGee) and simply continue on California St., a designated bicycle boulevard.

As far as bicyclists visiting the shops goes, there is very little impediment for doing so from anywhere east of Sacramento St. or south of Hopkins. Access from the remaining quadrant is compromised by the busy stretch of Hopkins from Gilman to Monterey and, equally important, by Gilman Street itself which is narrow and highly congested along its entire run. (See CoA's 3, 4, 5 and 7 above).

Community input and CoA concerns regarding currently proposed new development:

The vast majority of input the CoA has received regarding the Hopkins Corridor Project from our elder (as well as number of younger) citizens has essentially taken an "if it isn't broken, don't fix it" point of view. In addition, there is also a widespread sense of exasperation that this position has been characterized as indicative of an incalcitrant and fearful resistance to change that is part and parcel of the aging process. Having examined the situation as a commission, we generally agree with that position on the corridor and certainly share the indignation at the agist characterization. Indeed, though there may be a disproportionate number of elders who have spoken out against the Hopkins Corridor Project, elders are certainly not the only ones raising objections, just the most vocal, and perhaps aren't even the majority of those holding that position. This attempt to sway public opinion using the characterization of "old-person thinking" is particularly alarming to the CoA and a serious threat to the health and well being of the entire community.

The resistance in this instance is not simply “resistance to change” nor is it out of animosity to bicycle riders or bike lanes. Indeed, CoA commissioners (and many who have made public comment to it) applaud bicyclists’ good sense from both the individual health and fighting climate change angles and support protected bike lanes to ensure their safety wherever practical. Instead it is resistance to the imposition of poorly thought through and narrow minded change that results in public policies that do more harm than good.

In this case, the long-lived Hopkins Corridor business district currently remains a healthy and economically high functioning area for nearby residents and locally-based businesses both. The commerce there not only serves those nearby residents but draws in a large number of patrons from adjoining neighborhoods and those further afield even though it has the limited access of a different era. The small business district lacks the “convenient access” and “ample parking” of more modern strip malls or large stores or even our own Elmwood District which is in a much more highly-traveled area and more supported by off-street parking. Despite this, the businesses continue to draw a large number of regular customers, a large number of which are elder or soon to be elder - Berkeley’s older population is growing rapidly as established residents age into that demographic.

To the CoA’s observation, the current amount of curbside and lot parking is by and large adequate. The patrons of the businesses know that there will be times when near in parking will be readily available and other times when it is so crowded they will need to circle round and round or, for the more hale, spill out further into the adjoining neighborhoods. Some of this is just hit or miss, but in general this follows a pattern during the day and patrons have adapted accordingly as have the neighborhood residents. Of course this functional balance can be thrown off a bit by inclement weather, whether rain or extreme heat, resulting in more overcrowding at times and it can take a few days for things to “return to normal”, but, again, current parking is adequate. Indeed, if anything a bit more curbside and lot parking is needed if these businesses want to grow appreciably.

As far as patrons arriving on bicycles go, as mentioned above there are currently few impediments to doing so from most directions though out of prudence less experienced riders might want to dismount and effectively become pedestrians in the busiest sections. The riders, though, could use more space to park and lock their bikes. (See CoA’s 8 above.)

For those arriving on foot, yes, crossing at the corner of Hopkins and Monterey can be trying and pedestrians need to be careful, but is currently doable and to the best of the CoA’s knowledge there have been few pedestrian/auto accidents reported in the two blocks of the Hopkins Business District proper over the years. That elders in particular might currently prefer to park on the south side of Hopkins for safety’s sake is quite understandable though. (See CoA’s 1, 3, 8 and 9 above).

Rational behind the CoA's objection to the current proposal:

In accordance to previous discussion by the CoA as well as examination of newly arriving public comment, objections to the current proposal generally fall into two interrelated categories: equitable access to the area as tied to the health of the existing businesses and general public safety.

1) Equitable access / health of existing businesses:

Put simply, curbside and lot parking is currently far from ample, but just barely adequate for the current level of commerce in the district. The removal of any curbside parking will reduce the access to the businesses for those who come by car and this has a disproportionately negative effect on the elder and mobility limited population who are understandably more dependent on private vehicles. The same is true for anyone who comes from a distance not reasonably walkable or bikeable or served by frequent and convenient public transportation. In addition, patrons of the businesses that make purchases that can't be easily carried away or put in a bicycle's basket will be seriously discouraged from frequenting the area - such patrons account for the lion's share of the area's business. Building a two-way bike lane that will remove a large amount of that parking - especially the close in parking favored by those with strength and mobility issues prefer - will inevitably damage the businesses and the community both.

As far as bicycle access goes, as mentioned above there are currently few serious impediments for cyclists to frequent the businesses in the area itself except for one quadrant and options other than the proposed bike lanes can address this. (See CoA's 3, 4, 5 and 7 above). That somehow the increased bicycle traffic will make up for loss business due to the loss of parking seems unlikely given that these won't appreciably increase the existing access. Again, there is little stopping cyclists from frequenting the area now. That the proposed bike lanes could provide a better through route for cyclists is true, but that the possible "stopping along the way" by those who have "discovered the area" could make anything more than a small dent in that loss seems very, very unlikely in this instance.

2) Public Safety

For anyone standing at the corner of Gilman and Hopkins and looking up and down the streets, it is quite clear - especially during rush-hours - that for public safety's sake the last thing these sections of roadway need are more rolling vehicles even if all street parking were removed and the bicycles and EPTDs are separated from the automobile traffic by protected lanes. Add to this the pedestrian traffic in the area concentrated at the corner of Hopkins and Monterey and the public safety concerns are ratcheted up greatly. The intersection and its adjoining sections of roadway simply were not built to safely accommodate this level of congestion - too many things for all involved to watch out for - and this clearly evident safety problem will in all likelihood be

exacerbated for the foreseeable future as the automobile traffic becomes greater due to the push to increase population density in the Bay Area.

Though getting the citizenry out of cars and onto bicycles will help solve this intractable problem, the speed of this change is unlikely to even keep pace with that growth until considerable public funds are dedicated to improving local transportation infrastructure - the automobile provides us all the freedom to go to the market in the rain, to drive over to a friend's house across town in the dark for a dinner party, to go to a Doctor's appointment in an adjoining City without spending half a day on public transportation, etc.. It will take a long, long while (if ever) for the citizenry to give this up. Given this, the CoA strongly believes it would be wiser to divert bicycle through-traffic away from that intersection and, as suggested above, use Ada St. instead.

Skilled cyclists and EPTD riders will, of course, retain the right to ride with the flow of traffic through the area if they so choose. There are also a number of other arterial routes on slower streets to be taken. As for crossing streets, cyclists uncomfortable in doing so can simply dismount and become pedestrians pushing their bikes aside them.

In addition, the CoA has both received and been present at meetings where elder residents in particular have raised concerns about the behavior of cyclists, e-bike and - more often - e-scooter users. The battery assisted devices themselves are more troubling because they accelerate more quickly than bicycles, the E-bikes are quite heavy and both are more silent - it is hard to hear them coming, especially for those with hearing impairments. In the specific case of E-scooter riders, they tend to be younger, less cautious and - using our downtown area as example - often seem unaware that they are not allowed to ride on sidewalks. The danger? A 45 year old could be knocked down by a scooter and recover in a few days. For even a healthy 75 year old, the healing time could take weeks. For the more impaired? - simply falling down can start a chain of events that can make this a "life altering injury".

And in addition to all this, two individual commissioners have brought up concerns that were not previously discussed by the full CoA:

1. That there is an inadequate buffer zone between drivers exiting their cars and automobile traffic. The end result is that though the bike lanes may protect riders from being "doored", it puts drivers at greater risk of being hit by a car and that this is obviously and unacceptable trade-off.

2. That the Hopkins Corridor is a designated evacuation route and that this new configuration may compromise its effectiveness. To the best of this commissioner's knowledge the Berkeley Fire Department has not publicly addressed the issue and nor has the Disaster and Fire Safety Commission been asked to weigh in. This suggests an avoidance of the topic.

Given these two concerns, it might be wiser to simply require cyclists and EPTD

Internal

users to dismount and walk their vehicles through the commercial area.

CoA conclusions and recommendation for future action:

The CoA is fully aware of the existential threat to all of humanity due to climate change and of the need to change our transportation systems to address this. We are also aware of the part policy decisions from the local level all the way up to global agreements will play in this needed change. As stated above, the commission appreciates that encouraging bicycle and EPTD usage is part of this needed change and support investment in the infrastructure needed to move in this direction where and when appropriate.

In this specific instance, we strongly believe the proposed plan is inappropriate for the reasons stated above and have accordingly made the recommendations at the beginning of this report to best serve the laudable goals of that proposal while addressing these concerns.

As far as future action goes, for years the CoA has suggested to the Transportation Commission that an integrated system of small shuttles buses on secondary streets be developed around town to reduce car usage, but it seems to have fallen on deaf ears. Tellingly, in the City's Vision 2050 Framework shuttle buses appear twice in the narrative "A Street Corner View of Berkeley in 2050", but to the best of the CoA's knowledge no actual proposals or even feasibility studies have been made to support this truly progressive infrastructure change.

George Porter

Chair, Commission on Aging

Thank you for taking the time to amplify our voice as people with disabilities to insist that our input and inclusion in transportation and safer streets in Berkeley is mandatory.

Tonight's meeting is about an area in Berkeley called the Hopkins Corridor. You can commit during Open Public Commit on Matters Not on the Agenda, or specifically on Agenda item 2 or both. However, during open commit, your remarks have to be general in nature because the Hopkins item is on the agenda.

The Hopkin Street Corridor Reconfiguration Plan has not been vetted by any disability organization. It is particularly disturbing that low-vision and blind community residents and agencies were not engaged in this process.

Many of the panelists are from the cycling community and insist they are making streets "safer" by eliminating parking and expanding bike lanes some at sidewalk level. This is not about :

- rejection or denial of climate change
- opposition against cyclists
- a love of cars

It is about:

- Including the diverse community of people with disabilities in the planning and implementation of Complete Streets & Bike Lanes
- Being informed by the Americans with Disabilities Act Title 2 and 504 Rehabilitation Act so as not to discriminate and/or create new barriers to disabled people equally and fully participating in the community

- Involving and listening to the City of Berkeley Commissions on Aging and Disability, neighborhood groups, and residents who want safer streets for all.

(Statement from Disability Commission Chair Freeman about the special meeting held about the Hopkins Corridor plan)

Item on the Disaster & Fire Safety Commission's Meeting Agenda, Wednesday January 25, 2023:

4. Emergency Access Evacuation Routes (dean) Motion to send a memo to inform the City Manager and City Council that in consideration of major street changes to streets which have an existing designation as an Emergency Access and/or as an Evacuation Route or is in the process of considered for such a designation be subject to analysis prior to commencing any planning process to implementing proposed major changes and plan to intent to form a subcommittee: Bedolla Second: Murphy Vote: 5 Ayes: Degenkolb, Raine, Stein, Murphy, Bedolla, Dean; 0 Noes; 1 Absent: Cutler; 2 Abstain: Bradstreet, Raine

Attachment A

March 7, 2023

To: Mayor Arreguin and City Councilmembers
(clerk@cityofberkeley.info)

From: Mary Behm-Steinberg, Chair, Human Welfare and Community
Action Commission

Re: Hopkins Corridor Reconsideration

Honorable Mayor and Councilmembers:

This letter is to strongly support the communications from the Commission on Aging and numerous neighborhood groups, such as the Berkeley Neighborhoods Council, as well as the input of Disability Commissioners. For your convenience, we are attaching the Commission on Aging's communication.

We are alarmed at the normalization of passing over the Commission on Disabilities and the HWCAC on issues that have a direct and potentially lethal impact on the diverse community of persons with disabilities, not just here, but on issues ranging from homelessness and housing safety and accessibility to the hiring announcement for the next disability coordinator. As the Commission on Disabilities is extremely understaffed right now and was obligated to cancel their last meeting, we are including language from the chair of that Commission that further details our concerns:

We believe that the "City should comply with existing laws and best practices of complete streets AND support new projects with data, especially in regard to safety and evacuation routes for first responders and residents. At best in a disaster, the roadway will be chaotic. Not many will use bikes to leave an area and cars navigating a narrow, congested car lane will use cycle lanes to get out and away from danger. Moreover, as commissioners, it is our job to review data, documents, and input from a

variety of sources to make recommendations. The presentation by the City makes assumptions that were not supported by data or a report by the fire department (or disaster preparedness dept) as to an evacuation study of the Hopkins Corridor.

Additionally, without quick access to a vehicle or the ability to get access to individuals quickly, along with residential and commercial parking on side streets the onus for my thoughts is has the city done enough due diligence in the Hopkins project that before and in a disaster all the emergent people and needs of residents will work. I am not comfortable looking at street measurements and listening to staff utterances that something will work but then in the next breath saying that they have no idea how disabled drivers will be able to get out of their vehicles safely because it was not on their radar. It all matters and residents need to have all the information to feel safe.”

We have found ample evidence for Commission Freeman’s concerns. In addition to the letter and evidence presented by the Commission on Aging and Commissioner Freeman’s testimony and additional evidence, we are including an article from the Los Angeles Times detailing how road diets were responsible for at least 87 deaths (870 were still missing at the time of the report): <https://www.latimes.com/local/california/la-me-ln-paradise-evacuation-road-20181120-story.html>).

Councilmember Kesarwani’s office confirmed to me that they did not, in fact, have any hard data concerning the normal throughput of the roads, so it appears to us that

once again, adequate data and consideration of local conditions is lacking in this and other decisions.

The results of such poor planning and oversight are easy to see locally as well, when one considers what happened with attempts to narrow Milvia Street:

<https://www.berkeleyside.org/2022/02/03/berkeley-milvia-street-bike-barriers>. Though this article cites problems for delivery trucks, we can't help but wonder how this would affect the egress of emergency vehicles such as ambulances and fire trucks as well. If there are any vehicles you don't want to slow, they are emergency response vehicles, as minutes can cost lives. We are grateful that the Disaster Fire and Safety Commission is addressing the need to more carefully consider modifications to essential roads for evacuation.

In addition to the above concerns, we echo concerns about the ability of disabled drivers and passengers to safely exit in a wheelchair; safe use of modified streets by seniors and other people with mobility limitations (including parents of children still in strollers, especially while shopping); and the health of local businesses, among others.

We understand the realities of trying to legislate for climate emergency as well as the competing desires of a diverse population, but the reality is that if the solutions the City proposes for climate change are not universally and safely accessible, the City is in fact violating the basic civil and human rights of many of its most vulnerable citizens, and,

in a real-time evacuation crisis, the population at large. Seeing as multiple attempts by at least one Disability Commissioner to influence the findings of the Transportation Commission were to little avail, we can't express strongly enough how important consideration of these issues, even at this late date, are and continue to be. We therefore urge that planning include disability concerns from the outset, to avoid needless injury and suffering and to enhance cost effectiveness to taxpayers.

Sincerely,

Mary Behm-Steinberg
Chair, Human Welfare and Community Action Commission

The Hunger Games of Homeless Services

As coordinated entry systems try to match growing numbers of unhoused people with limited amounts of housing, it's more like The Hunger Games than Match.com.

By **Mary Kate Bacalao** - June 30, 2021



Mario Navarro, Compass Family Services' office manager, greets families dropping in for diapers, food, and services in the early days of the COVID-19 pandemic. Photo by Stacy Webb of Compass Family Services

In hundreds of communities across the country, coordinated entry systems are attempting to match growing numbers of unhoused people with limited amounts of housing and services. As Virginia Eubanks notes in her book, *Automating Inequality*, proponents of coordinated entry like to call it “the Match.com of homeless services.” In theory, coordinated entry uses algorithms and other digital tools to streamline the local response to homelessness, putting unhoused people in a database and pairing them up with housing and services calibrated to their needs.

The U.S. Department of Housing and Urban Development (HUD) conceptualized coordinated entry in the early 2010s during a swell in homelessness **after the foreclosure crisis** and the last recession. With a typical carrot-and-stick approach to policymaking, HUD used a competitive funding program—the Continuum of Care program, which awards about \$2.5 billion annually in highly regulated homeless assistance dollars—to push more than 400 communities (called “continuums of care”) to develop and operate their own coordinated entry systems.

HUD’s goal was a paradigm shift from a first-come, first-served model of homeless services **are the concern was that service providers distributed resources willy-nilly—to an**

efficiency approach, where data systems would distribute resources objectively, based on need. Proponents of coordinated entry used stereotypes to argue that the old model was inequitable: it privileged homeless people who “gamed the system” and service providers who “cherry-picked” the easy clients, over the supposed neutrality of algorithms.

This thinking makes it seem as if homeless response systems are simply disorganized, rather than deeply and dysfunctionally under-resourced. The logic goes: if we could simply line people up outside of a half-empty pantry according to whether they are starving or only very hungry, then we can better stretch the limits of the food we have. This logic may solve incidental problems, but it distracts us from grappling with the essential problem. As Gary Blasi, professor of law emeritus at the UCLA School of Law, points out, “Homelessness is not a systems engineering problem. It’s a carpentry problem.”

Joe Wilson, executive director of Hospitality House in San Francisco, puts it bluntly:

“Coordinated entry is a classic case of shrinking the problem to fit the solution.”

Coordinated entry systems deliberately work backward from an inadequate supply of housing—using eligibility criteria, assessment tools, and prioritization standards—to justify rationing it out to a small minority. It is a system built to rationalize an unconscionable mismatch between housing options and unhoused people. As Eubanks writes, “Coordinated entry is a machine for producing rationalization.”

Here’s how it works in San Francisco: Unhoused people presenting for services get entered into a centralized database, and trained staff apply several layers of assessments that weed them out of the running for housing. The first layer is an eligibility assessment—only people who meet the definition of homeless can be enrolled. The second layer is a service called “problem-solving”—an effort to divert people from the system they’ve just entered by solving some problem related to their homelessness (e.g., an unpaid utility bill). The third layer is a primary assessment—a standardized set of deeply personal questions (about medical and mental health problems, experiences of physical or sexual violence, and other sensitive topics) designed to probe how vulnerable each person is compared to the others.

The answers get fed into a ranking algorithm, which reduces each household’s vulnerabilities to a single numerical score. Each score gets assessed against a “threshold score”: at or above the threshold, and the household is deemed “housing-referral status,” meaning they scored high enough to get a housing referral. Below the threshold, and the household is deemed “problem-solving status,” meaning they scored too low to get housing. Instead, they get cycled back for another round of problem-solving services, which didn’t work the first time—mainly because people are homeless, and problem-solving is designed to solve problems other than homelessness.

It’s important to note that the threshold score is not a stable number: it goes up or down depending on how much housing is available at a given time. If there’s a lot of housing available, the threshold number goes down, and more people get housing referrals. If there’s not a lot of housing available, the threshold number goes up, and only the most vulnerable people get referrals. And they get referred to whatever is available, not necessarily something suited for their needs (for high-need families, this is almost always a

time-limited rental subsidy that may return the family to homelessness when the subsidy ends).

This is a far cry from the efficiency approach touted by proponents of coordinated entry, and it creates an infuriating sense that homelessness is a relative concept: everyone enrolled in the system is homeless, but if they aren't "homeless enough," they cannot get meaningful help.

San Francisco's coordinated entry system assessed 7,406 people in the 2020 fiscal year and weeded that down to 1,332 housing placements. In Los Angeles's longer-running system, they have assessed 32,728 people (older adults) and narrowed that down to 7,568 permanent housing exits. It's easy to see in both systems how the population shrinks from about five eligible people to one person ultimately placed in housing. This is the logic of lining up 10 hungry people outside an empty pantry and telling seven or eight of them that they're not hungry enough to qualify for food.

This is how coordinated entry shrinks the problem—not in the sense of reducing it, but in the sense of putting tens of thousands of unhoused people through a digital process of elimination until the number of people prioritized for housing more or less matches the amount of housing that happens to be available. Ultimately, coordinated entry is not "the Match.com of homeless services." It is more like the Hunger Games of housing access.

In any human services system, definitions and eligibility criteria play a role in shrinking the problem: they regulate who—and by extension, how many—can access the system's limited resources. In coordinated entry systems, prioritization goes much further: it provides the rationale for using digital tools to shrink the pool of people who are eligible for housing down to the number of people actually prioritized for and placed in housing.

As Eubanks describes in *Automating Inequality*, prioritization evolved from research by Dennis Culhane at the University of Pennsylvania, which differentiates between "crisis" and "chronic" homelessness. The idea—based on principles of medical triage—is that the crisis homeless may need the service equivalent of a Band-aid to get back on their feet, whereas the chronic homeless may need the service equivalent of surgery. Under the old first-come, first-served model of homeless services, the crisis homeless were sometimes getting services that should have been prioritized for the chronically homeless.

Coordinated entry endeavored to fix that with a prioritization tool called the VI-SPDAT, or Vulnerability Index—Service Prioritization Decision Assistance Tool. Co-authored in 2013 by OrgCode and Community Solutions, the VI-SPDAT was designed as a pre-assessment triage tool, a precursor to a holistic assessment by a trained case manager. But with the sustained push from HUD and the widespread adoption of coordinated entry, many communities took up the VI-SPDAT as the assessment tool itself, with the result that people's answers to deeply personal questions get reduced to a single numerical score that is often decisive about who will be prioritized for housing.

In a recent [blog post](#), Iain De Jong, the head of OrgCode, clarified that the VI-SDPAT was not designed to make these decisions: “right in the name of the tool are the words ‘Decision Assistance Tool,’ not ‘Decision Making Tool.’” But in making the VI-SPDAT (or variants of it) the primary assessment tool, coordinated entry systems both automate and over-rely on prioritization to manage a zero-sum level of resources. And ultimately, prioritization only helps us reorganize an empty pantry. It does not push us to confront the fact that it’s empty, and it does not hold us accountable for the people who have not been prioritized.

Courtney Cronley, associate professor at the University of Tennessee, describes the VI-SPDAT as a “single, unvalidated measure of vulnerability” that is used broadly across the U.S. and Canada to determine whose needs are highest and who is most deserving. “The tool’s origins are murky,” she writes in a [blog post](#): its co-authors developed it with demographic samples skewing older and male from a single geographic area. “Community-level studies,” she adds, “show consistent evidence of racial bias and unreliability in its use.” As De Jong readily [concedes](#), “the tool was never designed using a racial or gender equity lens.”

Cronley’s [research](#) bears this out: She finds that women are twice as likely as men to report being homeless as a result of trauma, and that white women and Black women have similar odds of experiencing traumas that result in homelessness. But the white women she researched scored consistently higher than Black women on the VI-SPDAT—because the tool measures vulnerability based on behaviors more typical of white women, such as visiting emergency rooms and reporting activities like survival sex to their case managers.

C4 Innovations published a similar racial equity [analysis](#) of assessment data from four coordinated entry systems. They found that white people scored statistically significantly higher on the VI-SPDAT than Black and Indigenous people of color. They also found that white people were prioritized for supportive housing at higher rates than BIPOC individuals. (This finding did not apply to families, but many communities do not prioritize families for supportive housing.) Like Cronley, the C4 researchers found that the VI-SPDAT was more likely to identify vulnerabilities based on behaviors more typical of white people.

The result is that coordinated entry systems—by virtue of who they are not prioritizing—may be perpetuating structural racism in ways that communities have called out for years, but that researchers are only just discovering. This is particularly egregious in homeless response systems, given the role of racism in causing homelessness and the stark racial disparities in who experiences homelessness. To name just one example: [50 percent of homeless families in America are Black](#), yet racial (and other) biases may be intersecting every day to deprioritize women of color, many of them single moms, for housing.

This is a predictable, maddening result of the way coordinated entry was designed to streamline dysfunctionally under-resourced homeless response systems. And it deserves not just research but immediate attention from public officials, system designers, practitioners, and others. We have designed coordinated entry systems to be fundamentally inequitable: every day they’re slicing off shavings from a pie that is too small (resource ity) instead of assessing how the pie needs to grow to eliminate disparities—for people

of color, for LGBTQ people—and meaningfully improve life and health outcomes for all unhoused people (resource equity).

Where do we go from here? We must get rid of coordinated entry—or redesign it. An equitable redesign would highlight problems and gaps rather than rationalize the mismatch between housing options and unhoused people. It would show the full picture of people and families needing support, rather than using artificial categories—like “problem-solving status” in San Francisco—to minimize the appearance of need and de-prioritize people who should be eligible for more. An equitable redesign would center racial and gender equity, and it would use digital tools transparently, to promote inclusive decision making and help us hold coordinated entry accountable to the goal of ending homelessness.

We must stop reorganizing the empty pantry and focus on putting more food in it. We must bring people in instead of weeding them out, with an emphasis on equity for people of color and LGBTQ people. We must insist on human decision making in the field of human services, and we must stop relying on digital tools to shrink our problems instead of solving them.

Mary Kate Bacalao

Mary Kate Bacalao is the director of external affairs and policy at Compass Family Services and the co-chair of the Homeless Emergency Service Providers Association (HESPA) of San Francisco.



Human Welfare and Community Action Commission (HWCAC)

ACTION CALENDAR

February 8, 2023

To: Honorable Mayor and Members of the City Council

From: Human Welfare and Community Action Commission (HWCAC)

Submitted by: Mary Behm-Steinberg, Chair, HWCAC

Subject: Requirements for Contracted Non-Profit Service Providers and Transparency of Grant Reports

RECOMMENDATION

Adopt first reading of an Ordinance to require improved documentation of clients who are served and turned down as part of their grant reporting narrative with results posted on the City's website.

CURRENT SITUATION AND ITS EFFECTS

When it comes to agencies serving individual clients, Commissioners in several City commissions have received numerous complaints about non-profit service providers not providing services which the City has contracted for to eligible clients, and the City currently has no mechanism for ensuring that the needs of clients are met. While the HWCAC is tasked with reviewing grants, we often have insufficient information to assess the relative success or failure of individual programs.

Individual clients often claim that they feel safe reporting problems to commissioners, but that they fear reprisals or losing what little services they get if they allow us to use their names and dates of alleged incidents, which precludes both us and any agency in question from addressing the problem in a constructive way.

As such, we recommend that Council require service providers to expand intake records to include the following:

February 8, 2023

1. a section detailing requested services;
2. reasons for rejection, if applicants did not receive requested services; and
3. commentary on actions taken by the agency in either case (services provided or referrals given where applicants are rejected, such as referral to a case worker, where appropriate).

These reports would then be summarized on the grant report with minimum effort, and duplicate services between agencies, as well as holes in services, could be easily assessed and addressed.

Moreover, in the event that there any unmet needs were because of inadequate funding and/or staffing, the new records will provide detailed, documentary, data-driven evidence that will inform the next funding period, as well as allow agencies to address core program procedures in a more nuanced, effective way. It will also allow for better oversight of programs that are not currently fully meeting their mandates, and make a detailed grant narrative much simpler and less time-consuming to produce.

All agencies contracted by the City of Berkeley shall also post eligibility requirements under the 2008 ADAAA, so that both employees and clients remain aware of expanded eligibility for inclusion in programs.

An ongoing, anonymized account of this information should be freely available to the public on the City's website to ensure maximum transparency.

We recommend that these changes be enacted immediately with current contractors, or at the very least, incorporated into amendments to be made on contracts that were extended for an additional fiscal year without an RFP. We would also like them included on all future RFPs.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

None

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

None

RATIONALE FOR RECOMMENDATION

February 8, 2023

The City is currently paying for services that are not being rendered to all eligible applicants.

ALTERNATIVE ACTIONS CONSIDERED

Several commissioners in a variety of different commissions have already tried speaking with non-profit service providers about these issues, without a high degree of success. Information regarding these grants, which currently are not overseen in terms of actual services rendered, are difficult or impossible to find.

CITY MANAGER

The City Manager has not taken a position on this item

CONTACT PERSON

Mary-Claire Katz

City of Berkeley

Housing and Community Services

(510) 981-5414 (tel)

mkatz@ci.berkeley.ca.us

ORDINANCE NO. 3.78.010

REQUIREMENTS FOR CITY NON-PROFIT SERVICE PROVIDERS AND
TRANSPARENCY OF SERVICES PROVIDED

BE IT ORDAINED by the Council of the City of Berkeley as follows:

1. The City of Berkeley's ATTACHMENT B: REQUIRED CITY OF BERKELEY INTAKE ELEMENTS (https://berkeleyca.gov/sites/default/files/2022-02/AttachmentB_RequiredIntakeElementsFY2022.pdf) be updated to include a section detailing requested services, as well as reasons for rejection, if applicants did not receive requested services. Section should also include commentary on actions taken by the agency in either case (services provided or referrals given where applicants are rejected). A summary of those results is required as part of the grant reporting narrative and may affect eligibility for future City contracts, and will be listed on RFPs from this point forward. An amendment of existing contracts carried through for an additional year will also reflect these changes.
2. Failure to serve eligible applicants will be met with a warning, which, if unremedied, may result in ineligibility for future City contracts.
3. Grant reporting for any non-profit or for-profit service provider engaged in providing affordable housing must provide full accounting of any affordable unit sold or rented at market rate to cover overhead costs.
4. Grant reports will be uploaded to the City's website to ensure maximum transparency.

Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

ACTION CALENDAR

February 6, 2023, 2022

To: Honorable Mayor and Members of the City Council

From: Human Welfare and Community Action Commission (HWCAC)

Submitted by: Mary Behm-Steinberg, Chair, HWCAC

Subject: Accessibility and Availability of Materials on City Website

RECOMMENDATION

Currently, many disabled people are unable to fully exercise their rights in the City because many of the documents on the City's website are inaccessible, including blurry photocopies which are not readable by screen readers. This is especially difficult for people trying to make a positive contribution to the City, including employees who may not be able to be fully informed about longstanding issues, as well as Commissioners, activists, and members of the general public. Requests for accommodation to the appropriate sources have not been met on numerous occasions, and it would both save staff a lot of work to fulfill that legal requirement and allow private citizens to do necessary research at will. It also becomes difficult for commissioners, activists, and members of the general public to coordinate efforts and collaborate with the wider community and with Council when they are unable to attend meetings if said meetings are not available to review online. These factors can be a barrier to employment, which makes them discriminatory.

Recorded meetings with a note indicating when in the recording a given agenda item comes up, would allow for more fact-based, decision-making, as well as giving a broader understanding of the wide variety of needs and perspectives that need to be addressed. The automatically captioned transcripts offered from the Disabilities Commission do not readily recognize speech impediments or accents that aren't "standard US broadcast English," rendering them useless.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS None

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) None

RATIONALE FOR RECOMMENDATION Full participation in the City's decision-making processes and advocacy for oneself and one's community are fundamental rights of every citizen. Without access to the same factual information available to every other citizen, advocacy for all disabled people, buy all disabled people becomes impossible.

ALTERNATIVE ACTIONS CONSIDERED We see no alternative to ensuring that every citizen has access to documents and the processes by which decisions which directly effect the ability of citizens to live their best lives here is available to all.

CITY MANAGER The City Manager has not taken a position on this item

CONTACT PERSON Mary-Claire Katz City of Berkeley Housing and Community Services (510) 981-5414 (tel) mkatz@ci.berkeley.ca.us

ACCESSIBILITY AND AVAILABILITY OF MATERIALS ON CITY WEBSITE

BE IT ORDAINED by the Council of the City of Berkeley as follows:

- 1. The City of Berkeley shall make all materials on it's website ADAA accessible.**
- 2. All Commission and Committee meetings shall be uploaded to the City's website, with a note indicating where on the recording each agenda item begins.**
- 3. All City contracts, grant reporting, inspection reports, and other business of interest to the general public shall be available online to the public without a public information request.**

Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.



Human Welfare and Community Action Commission (HWCAC)

ACTION CALENDAR

February 8, 2023

To: Honorable Mayor and Members of the City Council

From: Human Welfare and Community Action Commission (HWCAC)

Submitted by: Mary Behm-Steinberg, Chair, HWCAC

Subject: Accessibility Quality Assessment program to handle non-conforming public facilities and complaints from seniors and disabled people over substandard services or services not provided

RECOMMENDATION

Establish an Accessibility Quality Assessment program that allows vetted individuals unfettered access to all City facilities, starting with emergency facilities that aren't compliant with the Americans with Disabilities Act (ADA) and its 2008 update, the ADAAA, along with the power to make binding recommendations for any necessary changes, ensuring that non-conforming facilities are still safe. Said positions should be paid through an independent third source, which will empower residents and other users of said facilities to make complaints without fear of reprisals, and should be occupied by people with lived experience with a variety of common severely disabling conditions (including invisible disabilities, which are frequently illegally excluded from programming) as well as experience working with City bureaucracy. This program would also be responsible for overseeing City contractors who are improperly executing their contracts for this population; are excluding eligible individuals; and/or not executing some of the provisions of their contracts at all.

The City would pay for CAS-p certification for these individuals, as well as requiring that they take free online W3C training (for digital accessibility), ensuring that they could not only bring lived experience to the position(s), but also the necessary technical expertise to ensure the best possible results where the City has declared full compliance with the updated ADA to be impossible or has continued using substandard contractors.

February 8, 2023

Ideally, the City would hire a principle oversight officer who would oversee additional officers with a broad spectrum of lived experience as necessary.

CURRENT SITUATION AND ITS EFFECTS

Recent and continuing experience with the Pathways facility have underscored major problems that keep arising in the City regarding inadequate facilities and facility management as they impact disabled people and seniors. The result of this situation has been especially egregious at the Pathways Stair Center, where facilities marked as accessible contained no accessible bathrooms; no accessible showers; doors that were heavy enough to repeatedly break electric wheelchair controls, trapping residents in their own waste; improper ramps; and improper storage of prescriptions and hypodermic needles, making transmission of any existing communicable diseases not only more likely, but probable.

These discoveries were a direct result of complaints from a commissioner who toured with the Homeless Commission in 2020, and having had issues with access at the facility herself with her own mobility device, an interview with a resident in wheelchair. That resident stated that broken wheelchair controls as a result of overly heavy, non-conforming doors, left staff mocking him, carrying him back to his bed, and left him being forced to sleep in his own waste. There were other problems as well, owing to very poor project design, which left even able-bodied clients feeling vulnerable, such as assaults (including allegations of sexual assault), which likely had to do with integrating people with violent histories into a co-ed dorm space with no privacy.

As a result, the City hired private consultants who verified over \$300,000 worth of violations, but failed to address the issue with pharmaceuticals at all (please see attachment 1). ¹What the abovementioned commissioner noted as far as pharmaceuticals were concerned included no safe storage, accessible 24/7, for

¹ Please see attachment. Note that this only deals with physical accessibility and does not address pharmaceutical issues, which the Chair of the Homeless Panel of Experts cited as a “program” issue rather than an infrastructure issue. The City is still paying rent on trailers at Pathways more than two and a half years after these violations were found, without having done anything. A former Homeless Commissioner and current HWCAC commissioner found and priced ADA porta-potties, and was able to convince a staff member at BACS to order it, but none of the access issues (egress to get there, for example) were addressed, nor were the pharma issues, nor the City paying for unsafe administration by the majority of BACS employees nor the inadequate trailers. As of this writing, to our knowledge, no attempt has been made to recoup the monies paid for said facility, and BACS continues to accumulate new contracts, such as the iteration of Project Homekey at the Golden Bear Motel at Cedar and San Pablo.

February 8, 2023

hypodermic needles in a facility where drug addicts were also permitted to use; open storage of pharmaceuticals in a common refrigerator, where anyone might mistakenly reuse one of their needles in someone else's bottle; and no safe storage and use areas for pharma products that some might need for health reasons but others might be interested in coercing patients over for recreational purposes (cannabinoids; opiates; benzodiazepines; etc.). Said commissioner initially spoke with Bay Area Community Services (BACS, who manages the facility) staff, who categorically stated that there were no problems and then contradicted themselves when the client who was interviewed (and gave permission to use his name) was mentioned.

A single cooperative employee at BACS, who was found after a complaint was made to CARF, a non-profit accreditation agency forced BACS to choose someone to talk to said commissioner, proposed what sounded like an innovative and workable solution, but as of this writing, we have been unable to ascertain if it has been done at all, let alone correctly. As noted above, the service provider actively covered up the problems until the complainant living at the facility was named (as he was willing to be), which has contributed to a strong lack of trust in the community about leaving the City's contractors to do the work without reasonable oversight.

Sadly, the situation at Pathways is just one piece of the problem. Many of the City's agencies have serious complaints against them. These include refusal to serve people who fit the legal definition of "severely disabled" because they aren't in wheelchairs. Among the offenders are Bay Area Outreach and Recreation Program (BORP) and Easy Does It (whose board has actively tried to change the definition of severe disability to cut more people out) among others. In addition, Legal Assistance to Seniors (LAS) has multiple credible claims against them for profiteering off people who sometimes don't even need their services by manipulating the conservatorship court system.ⁱ One Berkeley resident had to stand trial for kidnapping her own mother out of an unlicensed care facility that LAS was using to warehouse her while attempting to liquidate the family's home, all the while feeding her an inappropriate diet for her kidney failure that was killing her.

This means that the very people the City is relying on for advice aren't always reliable, and an independent oversight program as described would serve as a bridge between the City, service providers, and clients. There are also a number of infrastructure issues which the City and its providers have ignored or refused to address, such as lack of heat in the emergency shelter run by Dorothy Day House at Old City Hall discovered by a second commissioner.

While we recognize the enormity of the problems and the lack of adequate staffing, we remain convinced that an oversight program would alleviate strain on overworked staff and provide an essential missing component in how to solve these problems in a compassionate and equitable way, and that having them be an integral part of the planning process would save clients and their families from fear, a lack of basic dignity,

February 8, 2023

and further risk of serious bodily and mental harm. In addition, this program would save the City from potentially millions of dollars in costly, avoidable mistakes (as at Pathways), as well as reduce costly risks of lawsuits against the City, its subcontractors, and its employees.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

Ensuring adequate sanitation would greatly reduce public health risks associated with defecation and urination on City streets.

ALTERNATIVES CONSIDERED

The Commission also considered having these positions be volunteer, but determined that the work was deserving of compensation. We would be happy allowing the work to be volunteer initially in order to allow it to commence immediately (or work could be paid retroactively, after approval), and would also be satisfied doing this with the provision that qualified candidates be paid on a pro rata basis for writing grants to support the paid positions.

RATIONALE FOR RECOMMENDATION

The City is already struggling to provide basic services for which it is requesting further bonds. Having to do the same job multiple times at a greatly increased cost fails clients and taxpayers alike, and is another unnecessary source of frustration for already overtaxed employees. As the situation currently stands, clients don't make complaints directly to either the City or service providers for fear of reprisals. Having CAS-p and, in the case of digital programming, W3C certified individuals vet City programs, will take a large burden off individuals not qualified to do the work while saving clients humiliation and injury and the City money and liability, and will empower clients to speak up about gaps and potentially dangerous lapses in service.

CITY MANAGER

The City Manager has not taken a position on this item

CONTACT PERSON

Mary-Claire Katz

City of Berkeley

Housing and Community Services

(510) 981-5414 (tel)

mkatz@ci.berkeley.ca.us

ACCESSIBILITY QUALITY ASSESSMENT PROGRAM TO HANDLE NON-CONFORMING PUBLIC FACILITIES AND COMPLAINTS FROM SENIORS AND DISABLED PEOPLE OVER SUBSTANDARD SERVICES OR SERVICES NOT PROVIDED

BE IT ORDAINED by the Council of the City of Berkeley as follows:

1. The City of Berkeley shall create multiple independent, flexible, non-exempt part to full-time positions to be filled on a pro-rata basis at a starting pay rate equivalent to \$100,000 a year plus benefits.
2. Said employees shall complete CAS-p certification at City expense within a 6 month time-frame, as well as free W3C certification within a year.
3. Said positions shall only be filled by persons with an array of severe disabilities. Work experience shall not be considered in lieu of lived experience, but work experience shall be considered as an enhancement in employee recruitment.
4. Experience working within the City's structure for a minimum of 3 years is required.

Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

ⁱ <http://www.coalition4rights.com/civil-death-of-katherine-carter//civil-death-of-katherine-carter-part-3> The documentation has links to related stories in the Oakland Tribune, but is a more detailed source from a non-profit fighting conservatorship abuse. Please note: the "trusted professionals" that the court refused to rein in placed Katherine Gist in an unlicensed care facility while attempting to liquidate her estate to pay themselves outrageous fees. The facility was killing her with the wrong diet, and the family had to defy court orders and kidnap her.

More information about Legal Assistance for Seniors: <http://www.coalition4rights.com/legal-assistance-for-seniors//alleged-elder-abuse-by-oakland-non-profit-legal-assistance-for-seniors-part-4>