



Commission on Disability Meeting Agenda: May 8, 2024, at 5pm

**North Berkeley Senior Center, Dining Room
1901 Hearst Avenue, Berkeley, CA 94709**

Preliminary Matters

1. Call to Order by Chair Fischer
2. Land Acknowledgment recognizing Berkeley as the ancestral, unceded home of the Ohlone People
3. Roll Call by Secretary
4. Public Comments

At this point in the meeting, the public may comment about any item not on the agenda. Public comments regarding agenda items will be heard while the Commission is discussing the item. Public comments are limited to three minutes per speaker.
5. Approval of draft minutes: April 17, 2024 meeting*
6. Approval: Order of Agenda*

Presentation

7. San Pablo Avenue Corridor Project by AC Transportation Commission staff

Staff Updates

8. Log of Access Complaints*
9. Email and voicemail sent to the Commission

Commissioner Reports/Announcements

Discussion/Action Items

10. Work Plan Updates and Developments
 - a. Contract Clause for WCAG Compliance
 - b. Active Icon

Adjournment

Projects (Active & Proposed)

- a. Contact clause for WCAG compliance - A
- b. Active Accessible Icon adoption - A
- c. Ohlone Greenway signage feedback - A
- d. Use of motorized scooters and bicycles on sidewalks (with CoAging?) - P
- e. Safer pathways map of Berkeley (with CoAging?) - P
- f. ADU Accessibility brochure - P
- g. Accessibility of speaker's lectern - P
- h. Maudelle Shirek Building (Old City Hall) renovation letter - P

- * **Written material included in packet.**
- ** **Written material to be delivered at meeting.**
- *** **Written material previously distributed.**

PUBLIC ACCESS TO AGENDA

Agenda posted: 1) on the bulletin board at Old City Hall (2134 MLK Jr. Way); 2) North Berkeley Senior Center (1901 Hearst Avenue); 3) City of Berkeley website ([link](#))

A complete monthly agenda packet is available for public review at <https://berkeleyca.gov/your-government/boards-commissions/commission-disability>. Physical agenda packets are reviewable during business hours at the Berkeley Central Library (2090 Kittredge St.) and at 1947 Center Street, 4th Floor.

ADA ACCOMMODATIONS

This meeting is being held in a wheelchair accessible location. To request a disability-related accommodation(s) to participate in the meeting, including remote participation, auxiliary aids or services, please contact the **ADA Program Coordinator at (510) 981-6418 (V) or (510) 981-6347 (TDD)** at least 72 hours before the meeting commences. Please refrain from wearing scented products to this meeting.

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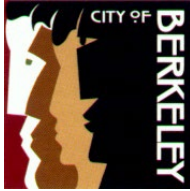
Any writings or documents provided to a majority of the Commission regarding any item on this agenda will be made available for public inspection at 1947 Center Street, 4th Floor, during regular business hours. The Commission Agenda and Minutes may be viewed on the City of Berkeley website: <http://www.cityofberkeley.info/commissions>.

Secretary:

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Mailing Address:

Commission on Disability
c/o Thomas Gregory
1947 Center Street
Berkeley, CA 94704



Commission on Disability

DRAFT Minutes re April 17, 2024

Preliminary Matters

1. Call to Order by Chair Fischer at 5:06pm
2. Land Acknowledgment recognizing Berkeley as the ancestral, unceded home of the Ohlone People
3. Roll Call by Secretary
 - Commissioners present: Vice-Chair Walsh, Chair Fischer, Commissioner Pugh, Commissioner Sun, Commissioner Lewkowicz, and Commissioner Paz.
 - Commissioner absent: Commissioner Marrero.
 - Staff present: Thomas Gregory and Guillermo Campos.
 - Public members present: none.
4. Public Comments – none
5. The public may comment about any item not on the agenda. Public comment on agenda items are heard at the beginning of discussion on that item. Public comments are limited to three minutes per speaker.
6. Approval of draft minutes: March 13, 2024 meeting
 - “...to approve the March minutes as drafted.”
 - Moved by: Commissioner Lewkowicz; seconded by: Commissioner Sun.
 - Ayes: Fischer, Pugh, Sun, Lewkowicz, and Paz.
 - Nays: none.
 - Abstention: Walsh.
 - The motion passes.
7. Approval: Order of Agenda
 - “...to approve the order of the agenda as written.”
 - Moved by: Chair Fischer; seconded by: Commissioner Sun.
 - Ayes: unanimous.
 - The motion passes.

Staff Updates

8. Log of Access Complaints
9. Messages sent to the Commission

Commissioner Announcements

There was consensus among Commissioners present that the CoD should offer input to Council in order to help ensure that the rehabilitation of the Maudelle Shirek Building (aka Old City Hall) is implemented in a manner that maximizes accessibility.

There was consensus among Commissioners present that CoD should invite Easy Does It Emergency Services (EDI) to an upcoming CoD meeting in order to inform Commissioners about EDI's services and capacities, especially regarding the provision of personal care attendants.

Discussion and Action Items

10. Work Plan Discussion and Developments

"...to authorize Chair Fischer to draft, sign, and send (via the secretary) to Council, on behalf of the full Commission on Disability, a communication regarding the need for City contracts to include explicit language regarding WCAG compliance."

Moved by: Commissioner Sun; seconded by: Commissioner Lewkowicz.

Ayes: unanimous.

The motion passes.

Adjournment (by unanimous vote at 7:25pm)

Minutes approved by CoD vote on: _____

Thomas Gregory, Secretary to Commission

2024 Log of Access-related Complaints Received by CoB (including unresolved complaints received in 2023)

Subject matter key:

1 = built environment (facilities and their adjacent paths of travel)

2 = built environment (pedestrian rights of way)

3 = digital content

4 = effective communications/signage

5 = programs, services, and activities

Date Complaint Lodged	Lack of Access Pertaining To	Date the City deemed a solution was implemented	Nature of solution	Solution's level of compliance with law	Complainant's level of satisfaction with solution
5/12/23	5 – letter to City Attorney and City Clerk, that City must change accommodations for disabled Commissioners that require publicly posting addresses and opening homes to public; based on the legal opinion of the SF City Attorney that the Brown Act must defer to the ADA, Title II	7/7/23 (or sooner)	N/A as City did not see a need for any solution other than providing reasonable accommodations as needed.	Litigation pending	Unsatisfied

6/8/23	3 – Commissioners' Manual not fully accessible via screen reader.	not yet	On 6/13/23, the City Clerk wrote: "My office will plan to create a version of the Manual that blacks out the text entirely and works with screen readers." ETA: 2024.	Once implemented, solution will be compliant.	Yet to be satisfied.
6/8/23	3 – same as above, but with additional concern that much more content on City website could be out of compliance with WCAG.	6/14/23	On 6/14, the City's Digital Communications Coordinator wrote that all City-generated web content meets WCAG standards. Re content on the City's website generated by third parties (e.g., Granicus), the City will insist that this third parties ensure that their content meets WCAG, and specific City staff are responsible for ensuring that these third parties cure any identified instances of non-compliance.	Assuming solution is implemented consistently on an ongoing basis, it is compliant.	Unknown (but likely not very satisfied).
6/16/23	5 – grievance that following Brown Act would defeat the purpose of one's accommodation to	7/3/23	For the City to waive Brown Act requirements, an accommodation dependent upon the submission of medical	Litigation pending.	Unsatisfied.

	teleconference into Commission meetings.		documentation was offered to complainant.		
6/23/23	5 – letter from attorney saying that the City has imposed unsafe conditions on accommodations for disabled Commissioners and must allow Brown Act obligations to yield to ADA obligations when the two statutes appear to conflict.	7/7/23	City Attorney’s office responded to complainant with letter stating that the City is following the law as the law is understood by the City.	Litigation pending.	Unsatisfied.
8/28/23	1 – constituent complained that The Stegmann Trail at Cesar Chavez Park is too bumpy and out of compliance.	9/5/23	PRW staff informed complainant of existing plans to render the trail ADA compliant tentatively scheduled to commence in Sep2024.	Not yet applicable, but solution, once implemented, will be compliant.	Satisfied (with tentative timeline, that is...the actual remediation has yet to happen)
12/1/23	1 - Complaint that STAIR Center was not ADA-compliant.	Not yet.	I explained the situation in much detail to complainant, acknowledging that the site was not compliant in 95 different ways. I explained that the issues would not be remediated until after the site’s trailer-based structures were replaced with pallet-based structures, which was scheduled to happen in late FY2023-	No compliant solution yet implemented.	Unsatisfied.

			<p>24. This complainant was part of a coalition of advocates concerned about this particular site, and on 12/20 I spent two hours at CIL discussing the issues with the coalition.</p> <p>Update: the “late FY2023-24” ETA re replacing trailers with pallet-based structures has been abandoned, and the new ETA is: October - Jan 2025.</p>		
1/28/24	2 – complaint about non-compliant sidewalk near NE corner of MLK and Derby.	Not yet	Confirmed that this violation was already documented in database (it was)...asked Transpo/Engineering staff if this issue could be prioritized.	No compliant solution yet implemented.	Unsatisfied.
3/13/24	4 and 5 – complaint that City is not promptly providing a commissioner with the brailled materials they need to effectively serve as a commissioner.	Not yet.	HHCS dept will secure the funding and establish the purchase order needed for the ongoing service of translating the commission’s monthly agenda packets into braille...the relevant secretary and chairperson will strive to	Not yet compliant...once implemented, the solution will be compliant.	Unsatisfied. (Note: the complainant is not the individual who needs the braille.)

			finalize agenda packets early enough to account for braille translation turn-around times.		
4/18/24	2 – construction work at/near Bancroft and Fulton is not being done in a compliant manner.	Not yet.	City staff have informed the contractor of what the PROWAG violations are and what the solutions are. As of 4/30, the contractor had not yet implemented the solutions.	Not compliant as of 4/30/24...once solutions are implemented, they will be compliant.	Unsatisfied (as no solution has yet been implemented)
4/19/24	4 and 5 – complaint from one constituent that Zoom auto-captioning is inadequate to meet another constituent's communication needs and that professional captioning is needed.	4/19/24	Staff checked with the constituent relying on Zoom auto-captioning to make sure that the constituent felt Zoom auto-captioning was adequate to meet their access needs.	Compliant.	Likely unsatisfied.

The above list does not reflect accommodation requests that were promptly approved and met to the requester's satisfaction.



Berkeley Commission on Disability

May 8, 2024

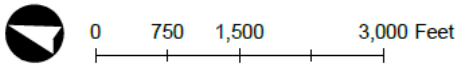
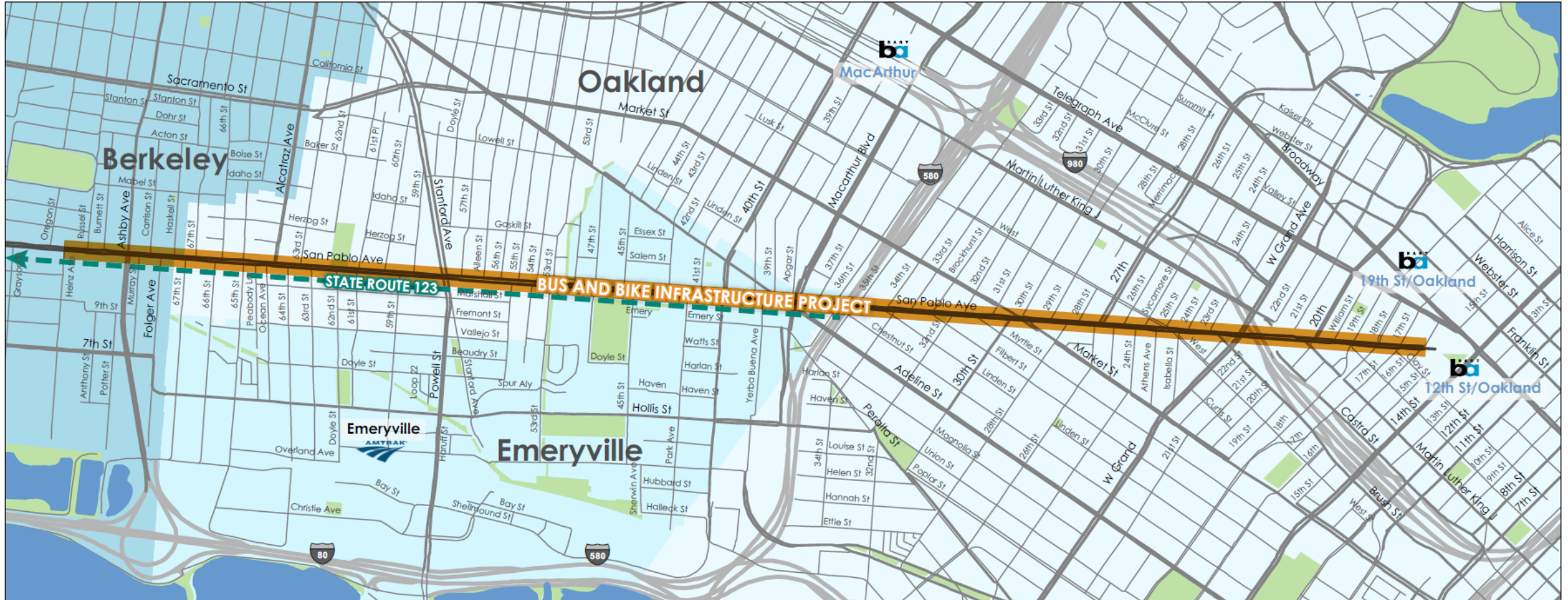
Agenda

- Introductions
- San Pablo Projects Status Overview
- Bus & Bike Lanes Project – Accessibility Elements
- Bus & Bike Lanes Project – Upcoming Outreach
- Next Steps

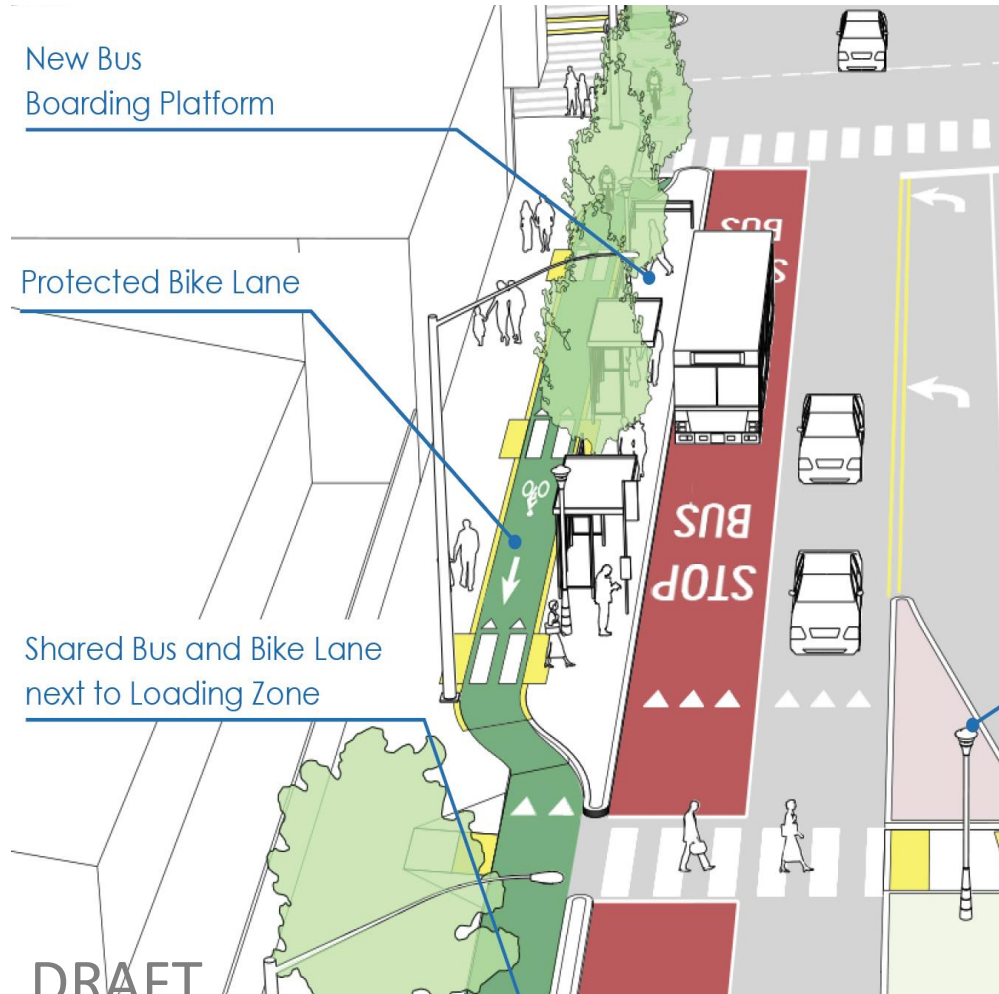
Project Overview Map



Bus Lanes & Bike Lanes Project



Bus Lanes & Bike Lanes Project Limits



DRAFT

For illustrative purposes only

- Extents: San Pablo Ave from 16th St in Oakland to Heinz Ave in Berkeley
- 2022 Commission Actions
 - Alameda CTC approved near-term concept with bus and bike lanes for further project development
 - Oakland and Emeryville City Councils approved letters of support

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Bus Lanes & Bike Lanes Project-Spring 2024

Public Engagement

- Will seek input on design details, such as:
 - Passenger and Paratransit loading areas along corridor
 - Separation of bike facility from paratransit/passenger loading areas
 - Pedestrian/bicycle mixing areas at intersections and on sidewalks
 - Curb ramp design and location
 - Bus stop Relocations
 - Bus boarding island accessibility elements
 - Corridor crosswalks and auditive signals
- Input to be incorporated in final designs

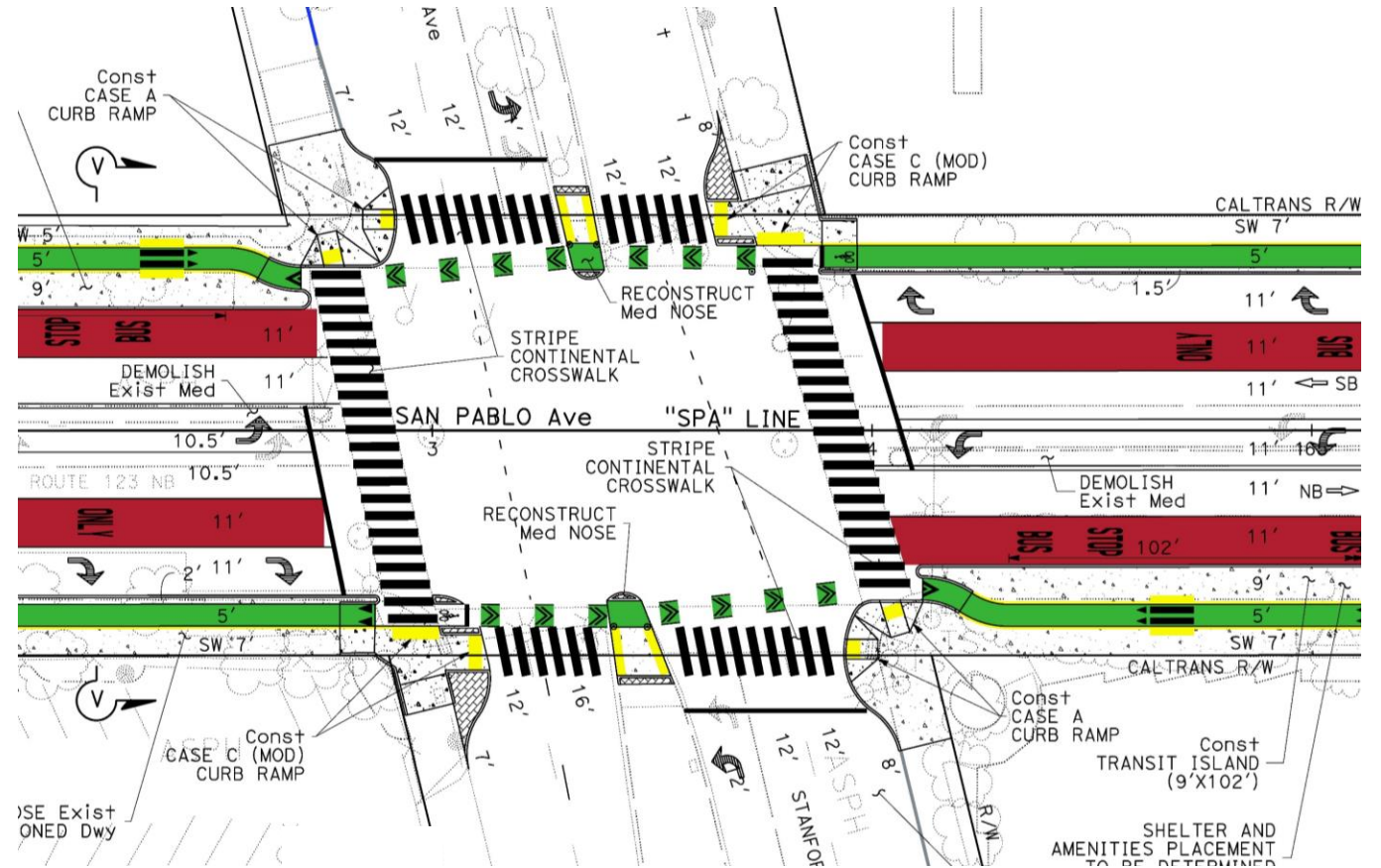
16 Bus Lanes & Bike Lanes Project-Safety Improvements

- New pedestrian beacons at crosswalks
- High-visibility crosswalks and bikeway crossings
- Curb-protected bike lane
- Curb extensions and median refuges shorten crossings at intersections
- ADA ramp upgrades
- Better lighting along San Pablo and on side streets
- Additional design solutions to address speeding



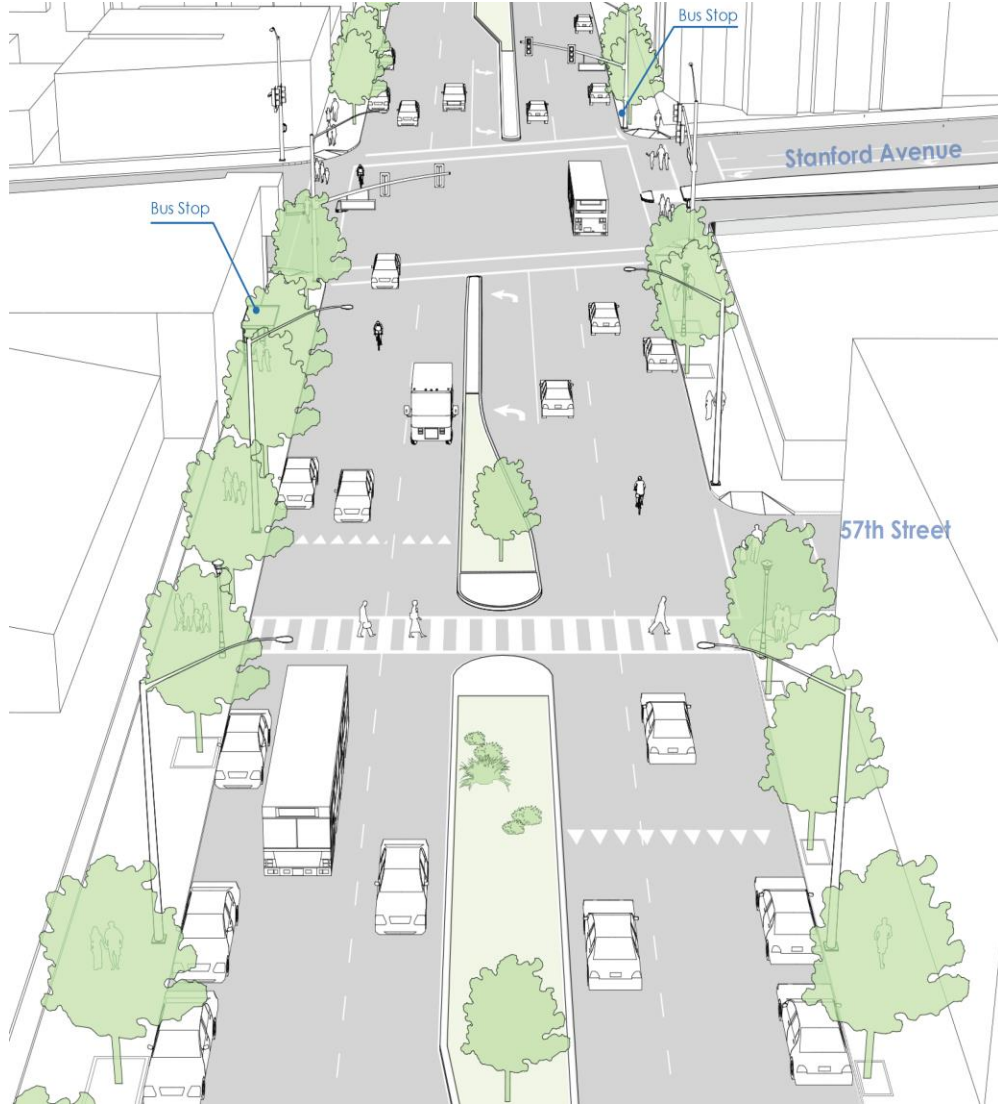
Signalized Intersection Improvements

- Curb extensions with directional Curb Ramps
- Median refuge islands
- High Visibility Crosswalks
- Accessible Pedestrian Signals
- Leading Pedestrian Intervals
- Bus Stop with Boarding Island
- Bike lane separated from Boarding Island

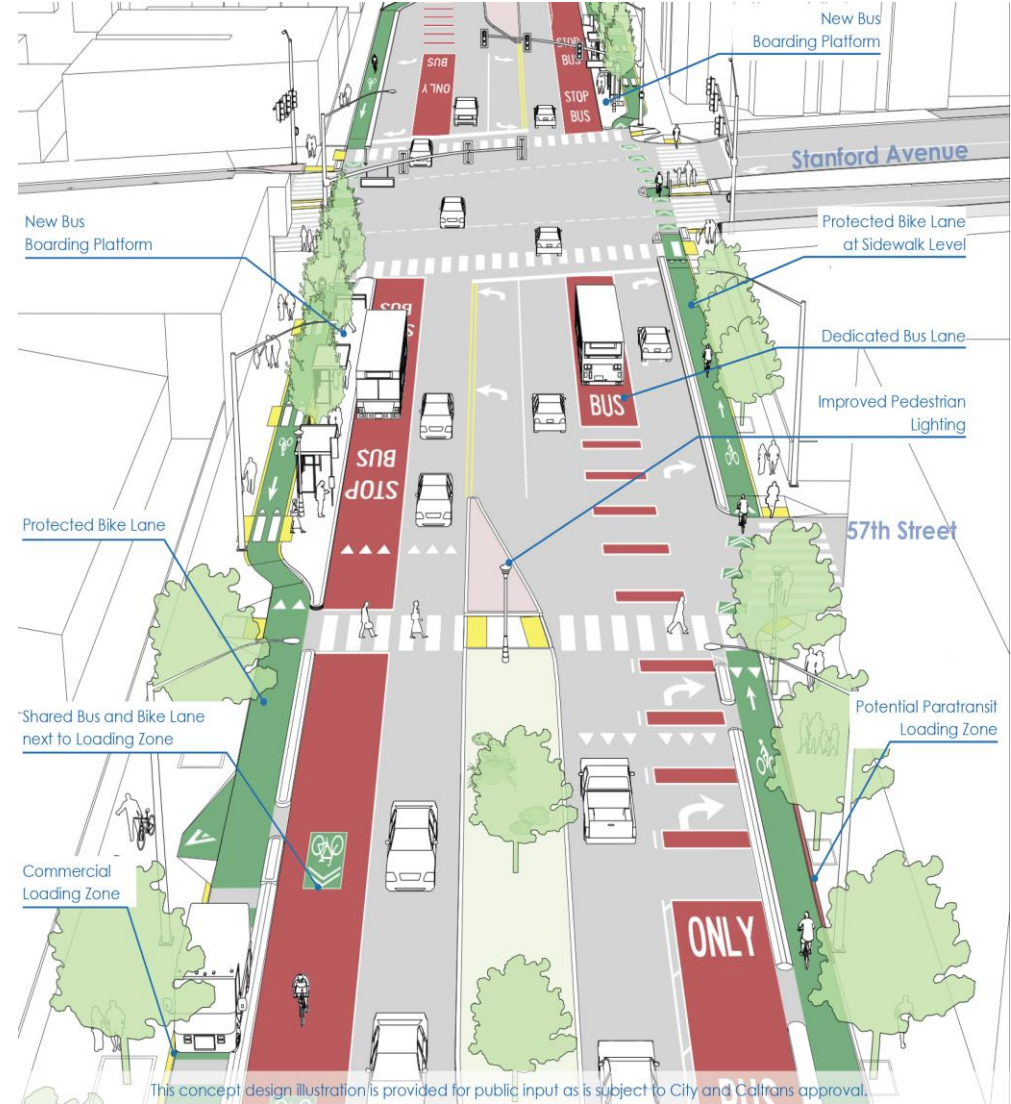


Existing Conditions and Proposed Project

Looking north toward Stanford Avenue, North Oakland

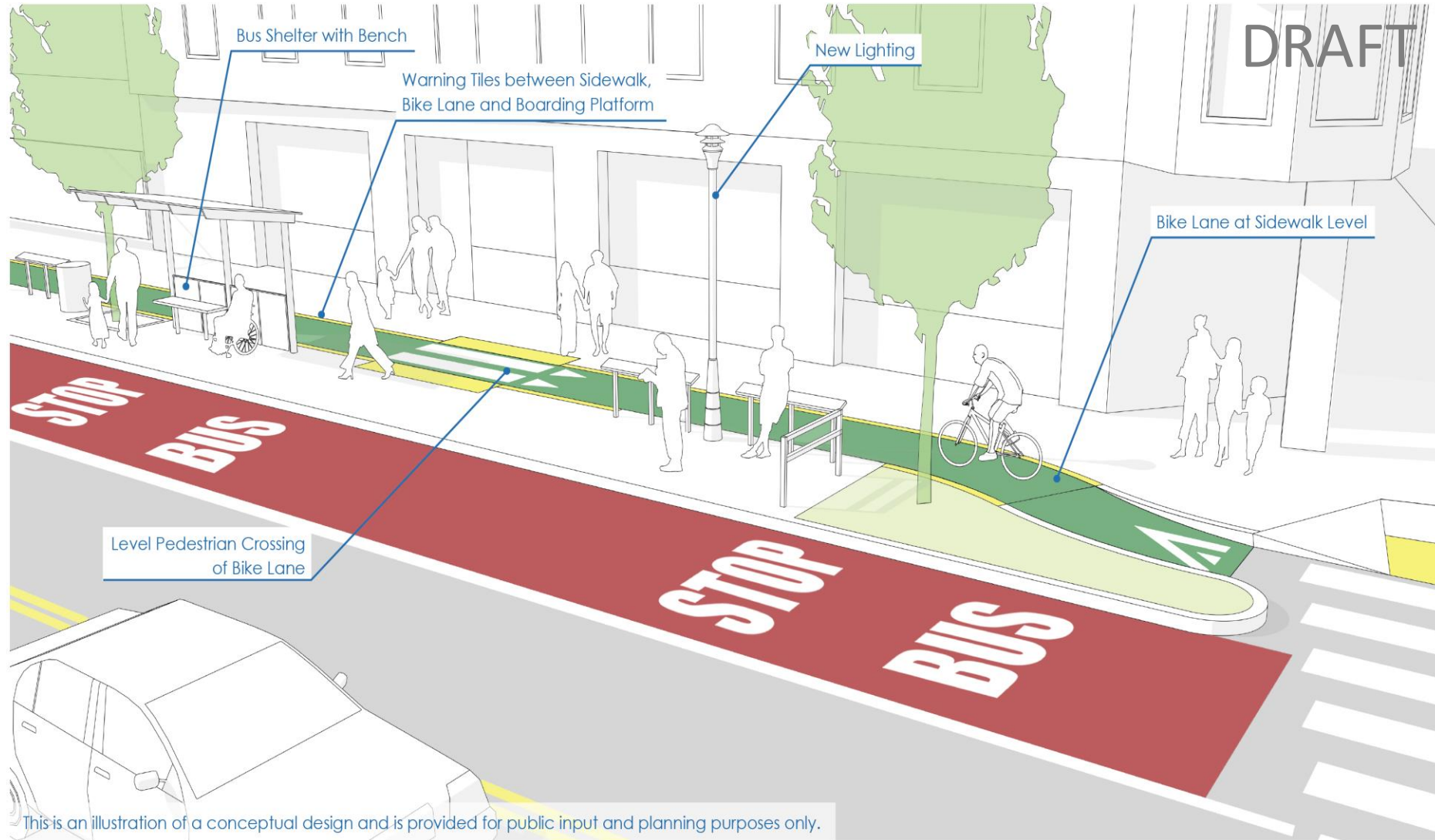


Existing



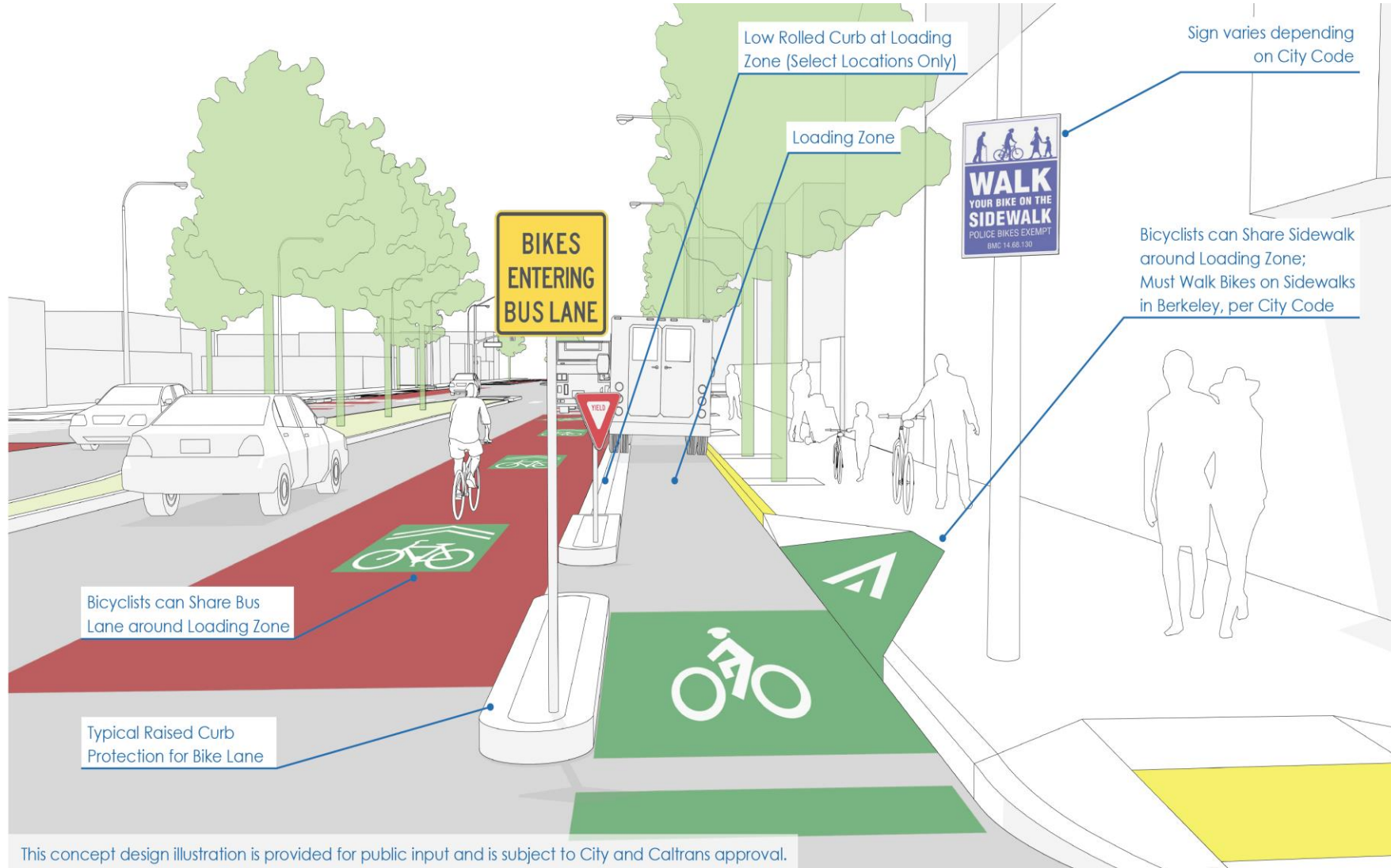
Proposed

Example Bus Boarding Platform



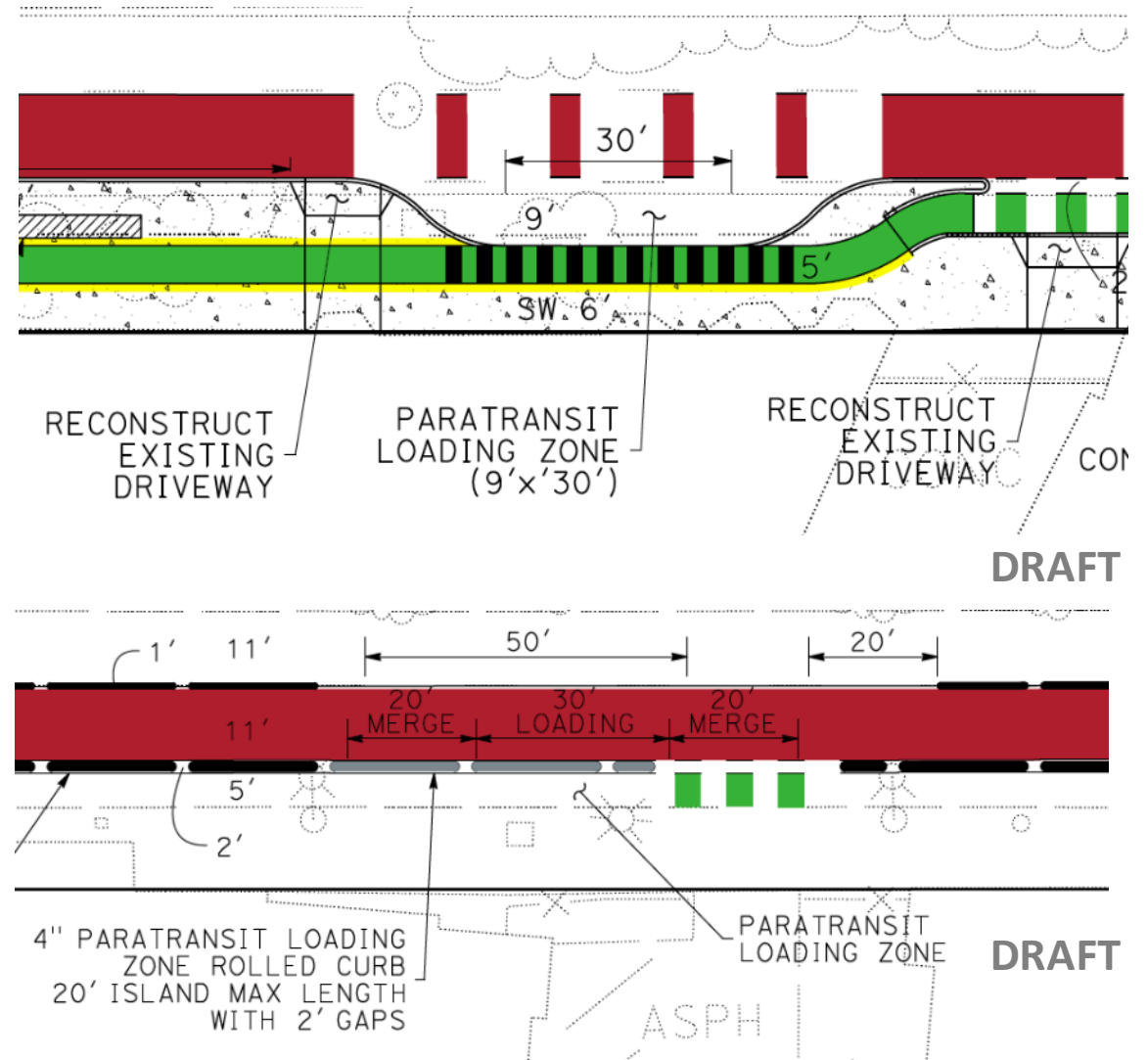
This is an illustration of a conceptual design and is provided for public input and planning purposes only.

Example Loading Zone (limited locations)

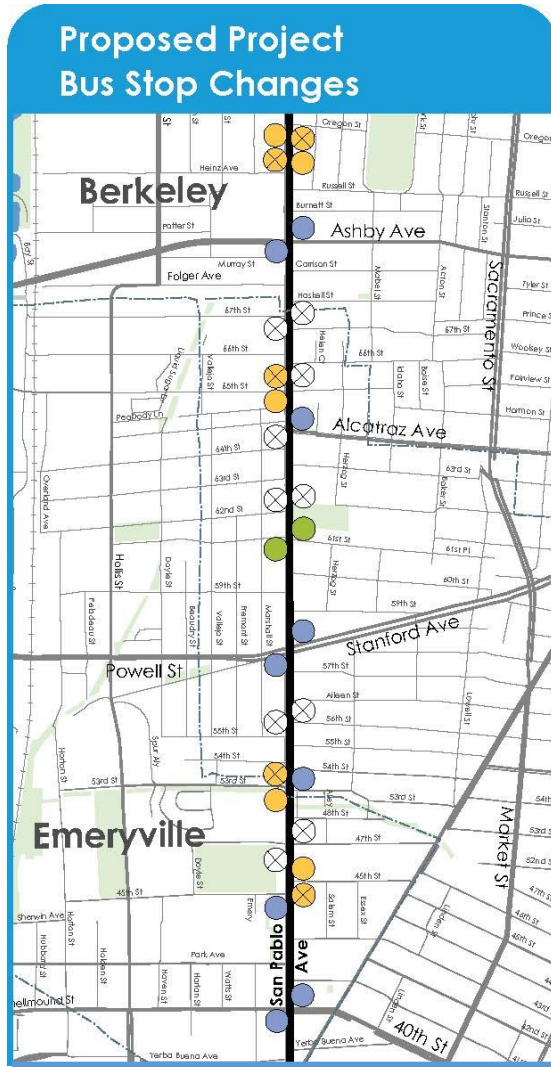


Typical Paratransit Loading

- High-Activity Locations:
 - Provide loading zones on blocks with 10+ EBPT trips/year (11+ blocks)
- Low-Activity Locations:
 - Lower mountable curb (4") segment on blocks without loading zone



Proposed Bus Stop Changes



Legend

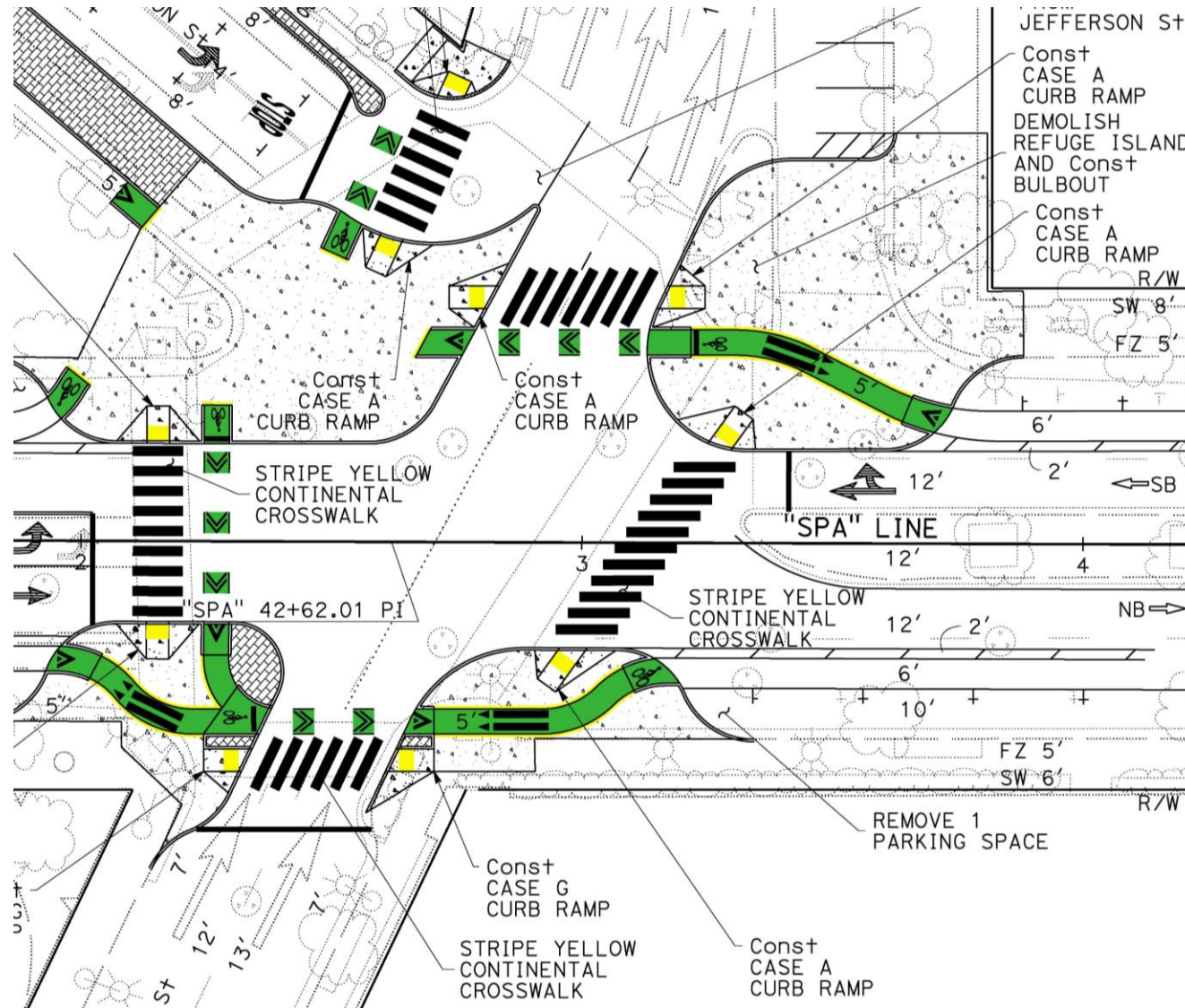
- Bus Stop Added
- Bus Stop Moved To Here
- Bus Stop Upgrade
- ⊗ Bus Stop Removed
- ⊗ Bus Stop Moved From Here



- Local Bus Stop Consolidation to increase bus reliability
- More Rapid bus stops
- Streamline bus operations
- Improve bus travel time

Pedestrian/Bicycle Mixing Areas at Intersections

San Pablo Ave and
18th Street and
Jefferson St.



Bus Lanes & Bike Lanes Project

Spring 2024 Public Engagement

- Activities to get input include:
 - Community input website: sanpabloave.mysocialpinpoint.com
 - Open house events held 4/15 and 4/17
 - Pop-up events (info on website)
 - Door-to-door storefront outreach
 - Focus groups hosted by CBOs
 - Meetings/presentations with agency commissions, stakeholder groups, etc.
- Notification methods: Mailers, store window flyers, bus stop flyers, sidewalk decals, email, social media

Bus Lanes & Bike Lanes Project

Spring 2024 Public Engagement

- Seeking input on design details, such as:
 - Bus stop locations and design
 - Intersection and pedestrian/bicycle crossing designs
 - Traffic circulation changes
 - Loading zone locations
 - Side street loading/parking priorities
 - Opportunities for greening
- Input to be incorporated in final designs

Combined Project Schedules

	Safety Enhancements	Parallel Bikeways	Bus Lanes & Bike Lanes
Planning/ Scoping	2017 – Spring 2022	2017 – Spring 2022	2017 – Fall 2022
Environmental Studies, Design, and Advertise	Winter 2022 – Spring 2025	Winter 2022 – Winter 2025	Summer 2022 – Winter 2026
Construction	Fall 2025 – Winter 2026	Summer 2025 – Summer 2026	Spring 2026 – Winter 2027

Thank You

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