



Commission on Aging
Margot Smith, Chair
Darlene Bronson, Commission Secretary

COMMISSION ON AGING MEETING AGENDA

Wednesday, January 17, 2024
North Berkeley Senior Center
1:30 p.m. – 3:30 p.m.

Preliminary Matters

1. Call to Order by Chair Smith
2. Roll Call by Secretary
3. Public Comments
The public may comment about any item not on the agenda. Public comments are limited to two minutes per speaker. Public comments regarding agenda items will be heard while the Commission is discussing the item.
4. Approval of minutes from November 15, 2023 (Attachment A)

The Commission may discuss any subject listed on the Agenda. Public comments regarding agenda items will be heard while the Commission is discussing the item. Public comments are limited to two minutes per speaker.

Presentations/Updates

1. Tenant policies – *Leah Simon-Weisberg, Berkeley Rent Board*
2. Update on Senior Services - *Darlene Bronson & Tanya Bustamante, Aging Services*

Commissioner reports

Advocacy for Senior Services (Attachment H)

Discussion / Action Items

1. Data on housing aging homeless
2. People Park update on current status
3. 24/7 use of public paths by pedestrians and bicyclists for the purpose of transportation
4. Ohlone Greenway Safety and Modernization Project
5. Mixed population in housing for the aging

Items for Ongoing Discussion

1. Financial and digital literacy
2. Around town shuttle buses
3. City website

4. Support for Senior Centers/ Age-Friendly Berkeley

Information Items

1. Carol Denney- Letter (Attachment B)
2. Commission on Aging and Housing Advisory letter (Attachment C)
3. Ohlone Greenway comments from community members (Attachments D & E)
4. Donna DeDiemar - Letter (Attachment F)
5. Council meeting timeline for 2024 (Attachment G)

Adjournment

COMMUNICATION ACCESS INFORMATION

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.

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 commission secretary 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 the North Berkeley Senior Center located at 1901 Hearst Avenue, 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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Health, Housing & Community Services Department
(510) 981-5194
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Darlene Bronson
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Health, Housing & Community
Services Department
Commission on Aging

COMMISSION ON AGING MEETING DRAFT MINUTES

Wednesday, November 15, 2023
1:30 p.m.

1. Roll Call

Present: (7) Cochran, Collins; Lavault; Orrick; Porter; Smith; Yamaguchi

Absent:

Excused Absence: Chisholm

Staff Present: (2) Tanya Bustamante, Darlene Bronson

Public: (3)

2. Public Comment (2)

Presentations

1. Use and multifunctionality of senior centers as a City resource – Aging Services staff.

Action Items

1. Approval of the Minutes from October, 2023 Regular Meeting:

M/S: Porter / Cochran

Ayes: Lavault, Collins, Smith, Yamaguchi, Orrick

Noes: None

Abstain: None

Absent: Chisholm

Motion passed.

2. Postpone a response to City Council referral regarding Berkeley Municipal code updates on bike / pedestrian usage, until next meeting in January 2024 giving the fact the items has been changed.

M/S: Orrick / Collins

Ayes: Lavault, Smith, Yamaguchi, Cochran

Noes: Porter

Abstain: None

Absent: Chisholm

Motion passed.

3. Decision to email Commission on Aging agenda packets to all Commissioners unless requested otherwise.

M/S: Orrick / Smith

Ayes: Lavault, Yamaguchi, Porter, Cochran, Collins

Noes: None

Abstain: None
Absent: Chisholm
Motion passed.

Discussion Items

- 1. Commissioner discussion for Aging Services staffing.**
Discussion; Creation of Sub-Committee
- 2. Need for increased outreach to community regarding Sr. Center services and activities.**
Discussion; No action taken

Commissioners adjourned at 3:26 p.m.

Minutes Approved on:

Darlene Bronson, Commission Secretary

To: The Commission on Aging

Attachment B

Re: Rigel Robinson's Sidewalk / Vehicle recommendations
For: the Nov 15, 2023 Commission on Aging Meeting

Dear Commission,

I am a disabled senior. In my neighborhood the skateboards, scooters, bicycles, and unicycles we routinely try to dodge to navigate simple errands became untenable years ago. The fact that the extant laws are unenforced - but not unenforceable - does not mean that they don't matter. Unless you think, as Councilmember Robinson appears to do, that the lives and safety of disabled seniors and vulnerable pedestrians are unimportant. Unless you think, as Councilmember Robinson seems to do, that the ADA is unimportant.

I am of the generation that fought and secured the federal protections of the Americans with Disabilities Act, which would be controverted by Robinson's proposal. I also fought hard, as a life-long bicycle commuter through the direct action of Critical Mass rides, for the recognition of bicycles as **vehicles**, vehicles with every right to the roadway, a recognition which has changed roadways widely in favor of bicycle safety. If safe roadways for the vehicles **that bicycles in fact are** under the law are not enough for bicyclists, by all means they should fight as hard as we did for dedicated bike lanes.

But Berkeley needs to fight much harder for its vulnerable seniors, whose voices are not covered as robustly as the nationwide bike lobby, which not only dominated honest discussion of the safety issues at Gilman and Monterey, they cost us another valuable department director literally unable to navigate the political pressure to accomplish contradictory directives.

Stand up for safety. Stand up for seniors. Stand up for the disabled and physically vulnerable of any age. Stand up for sidewalks as dedicated, safe, pedestrian walkways. Take advantage of this moment to recommend that this proposal not only be flatly rejected, but that signage and enforcement to protect sidewalks as safe spaces to walk be improved so that the legal rights we currently have are, in fact, manifest in our daily efforts to safely get to the market, the post office, the bank, etc. Bicycles, under the law, are vehicles, are capable of being lethal in the best of hands, and do not belong on sidewalks.

Sincerely,

Carol Denney
1970 San Pablo Ave #4
Berkeley, CA 94702
510-548-1512

Attachment C

To: the Commission on Aging and the Housing Advisory Commission,
From: Carol Denney
1970 San Pablo Avenue #4
Berkeley, CA 94702
(currently at 681-298-4302)

Dear Commissioners,

I have lived in my apartment over 35 years. We are a an organized nonprofit dedicated to safe, permanent, tenant-run, affordable housing in our 30th year. About six years ago one of our tenants suffered an injury after surgery, and became seriously disabled and blind, according to our building manager.

A friend of his began to frequent the property to help him, and began causing issues by smoking in the building, blocking in our cars, having loud, theatrical rants in the common areas thinking things were being stolen from him, and using a vast array of bizarre materials to hold open the security gates among other issues. I tried once to speak to him, a man named Joe Wright, about having my car blocked in, and was treated to a loud, angry cascade of profanity and threats.

He developed a fixation and hostility toward me difficult to describe. He has repeatedly physically assaulted me when I've tried passing him in the corridor. He has filled my car with urine and feces, spray-painted it with profanities, scraped off the registration tags, repeatedly smashed the windshield and slashed the tires until my insurance company declared my car a total loss. He has filled my potted plants with lit cigarettes, painted a giant "X" across my door along with posting threats on it, pasted eight pages of strange rants about me on our apartment walls, and claims constantly that I am stealing from him. The police have never arrested him, nor documented years of violations of the two restraining orders I obtained against him.¹

Most recently, while traveling on the east coast, I found out by chance that he had fraudulently claimed to the Oakland Superior Court that I had been served with court papers and that several court hearings had taken place giving him a restraining order against me, claiming that I had somehow disturbed or harassed Mr. Clark, a neighbor in apartment one whom I have never met or spoken to. Mr. Wright filled out the papers and is guiding this whole process.

I have two restraining orders against Mr. Wright. After the first one he got a certificate to become an In-Home Supportive Service worker, which qualified him for an exemption from the restraining order as an employee of Mr. Clark. The second restraining order also had the same loophole, the consequence being that I was so severely assaulted on January 3, 2023 that I had a serious concussion and began to stay

¹ I used the Police Accountability Board's complaint system, and the few complaints which were sustained were overturned by the City Manager.

with friends while the Family Violence Appellate Project tried on my behalf to obtain a clarification which would keep Mr. Wright off the property, an effort which failed because of his IHSS certification.

I sued the building through the Rent Stabilization Board, the Eviction Defense Center, and the offices of Andrew Wolff in Oakland, and won a judgment against the building management. But no effort was made to address the habitability issues. Our tenant-run Board of Directors issued a letter on February 5, 2023 (attached) addressed to Mr. Frank Clark, the legal tenant in apartment one, stating that he had five days to gather the keys and the garage door opener from Mr. Wright and effect his exit from the property stating that Mr. Wright "poses a liability and a danger to" the tenants and the property.

Our building manager read the letter aloud to Mr. Clark, who refused, along with Mr. Wright, to abide by the restrictions. The building manager and the board took no further action, allowing more assaults and property damage against me. I cannot safely get my mail, access my car, or come and go.

Mr. Wright continues to vandalize my property, assault me physically, verbally, and make false claims about me to my neighbors and to the Superior Court of Oakland. I have had to hire an attorney from thousands of miles away to quash the false claims that I was ever served with court papers or ever caused any inconvenience to Mr. Clark, a neighbor whom I have never met or spoken to.

At the very least, for those of us who have gone through the extraordinary inconvenience of obtaining a restraining order against an IHSS worker, could the Commission on Aging and the Housing Advisory Commission suggest the creation some kind of mechanism through which the certification as an IHSS worker be suspended at a particular property where the courts have recognized that there is a significant problem?

Six years of my life, the life of a 69-year-old three-time cancer survivor, is too long to be saddled with this seemingly endless, pointless, and dangerous situation. The Commission on Aging and the Housing Advisory Commission could help by recommending this step, which would create safety for the tenants being terrorized.

Thank you for your consideration.



Carol Denney
1970 San Pablo Avenue #4
Berkeley, CA 94702
(currently at 681-298-4302)

Internal

Attachment D

10-30-2023
Berkeley Calif.

To the City of Berkeley Commission on Aging

PLEASE NOTE MY OPPOSITION TO THE CITY'S FLAWED OHLONE GREENWAY SAFETY & MODERNIZATION PROJECT (aka The Ohlone Plan)

The City is pursuing wide, fast moving bicycle, e-bicycle, & electric scooter lanes along the Ohlone Right of Way from Virginia Street to the Albany line.

The Plan would remove mature trees & shrink Cedar Rose Park; but would not provide any separate pedestrian pathways, including at the Gilman, Hopkins, Rose & Cedar intersections.

Bicyclists & e-scooter riders do not & will not safely share the Ohlone Pathway with pedestrians. Bicycle-pedestrian collisions & near collisions occur daily.

Pedestrians, including people with disabilities & parents pushing strollers need their own safe pathway, as exists along the nearby West Street Path, and under the BART tracks in Albany.

An ADA compliant pathway should be of an easy to walk or roll on compacted material, not rocks or gravel.

RECKLESS BICYCLE, E-BICYCLE, & E-SCOOTER RIDERS POSE GREAT THREAT TO THE SAFETY OF SENIOR CITIZENS:

The growing problem of fast-moving reckless bicycle, e-bicycle and e-scooter users is posing a great threat to the safety of senior citizens.

As a 73 year old and long-time resident of Berkeley, I find that the growing recklessness of bicycle, e-bicycle, & e-scooter riders makes it more and more dangerous for me to simple take a walk or try to cross the street. This situation should not be tolerated.

THIS ILL-CONCEIVED PLAN MAKES THINGS WORSE!

Bicycle and e-scooter riders in Berkeley go too fast already. Wider pathways will encourage bicyclists & e-scooter riders to go even faster, putting pedestrians – including people with disabilities – at even greater risk of being banged into, knocked over, & seriously or fatally injured.

The willful lack of an ADA compliant pedestrian path invites bicycle-pedestrian accidents & exposes the City to lawsuits.

The developmentally disabled students who participate in the after school programs at the Ala-Costa Center in Cedar Rose Park will be especially vulnerable to being hit by bicycles & e-scooters.

The consultants did not even consider including a separate pedestrian pathway. Why not?

A city staffer recently said that people can just walk across the grass at Cedar Rose Park. This is ridiculous. The grassy field is very uneven and can be covered with dog waste. The field is often filled with aggressive unleashed dogs. And the field is fenced off for several months every year during the rainy season.

The Plan violates the Americans With Disabilities Act – ADA. The city’s consultant acknowledged that no consideration was given to the ADA in the development of this plan.

WHY ARE RECKLESS BICYCLISTS AND E-SCOOTER RIDERS TOLERATED?

Bicyclists, e-bicyclists, & e-scooter riders are getting more and more reckless. They routinely run stop signs and stop lights, pass pedestrians on the right, and overtly knock into pedestrians. It’s time to strictly enforce all traffic laws against bicyclists and e-scooter riders.

Electric scooters should NOT be on sidewalks nor in bicycle lanes. Electric scooter riders should be licensed and at least 18. It makes no sense to exempt them from the rules of the road.

For the above reasons, Paris France recently banned all electric scooter rentals.

LITTLE THOUGHT WAS PUT IN TO MAKING THE OHLONE GREENWAY STREET INTERSECTIONS SAFER

Separate, ADA compliant, pedestrian crosswalks are needed at Gilman/Curtis, Gilman/Hopkins, the Rose & Cedar street intersections with Cedar Rose Park and Virginia Street intersection.

These intersections are already very dangerous.

A transportation expert has stated that the Diablo Engineering Consultant’s proposal for the Hopkins – Peralta intersection would be especially dangerous to pedestrians. Much greater thought needs to be given to this intersection since Hopkins Street is a critical City Evacuation Route.

There should be clear & separate pathways for pedestrians, including wheel chair users, versus bicyclists, e-scooter, and e-bicycle users at each of these intersections.

PLEASE DO NOT REMOVE ANY PARKING ON PERALTA AVENUE

The Plan would remove 12 or more parking spaces on Peralta Avenue & more on Hopkins & Rose streets. The pickle ball players at the Hopkins-Peralta courts will quickly fill the remaining nearby parking spaces. People won’t be able to park in front of their homes again. High speed bicycle lanes with concrete barriers will keep people from safely backing out of their driveways. People without driveways will forced to park far away front their homes & will risk assault walking or rolling home after dark.

Removing street parking on Peralta Ave and on other nearby streets will result in more auto break-ins, more catalytic converter thefts, & more out right car thefts. Catalytic converters can cost thousands of dollars & many months of waiting to replace. Thieves are savvy. They will quickly recognize the loss of street parking on Peralta as an opportunity to break into cars on adjacent streets that belong to Peralta Avenue residents.

People on Peralta and nearby streets have healthcare workers who assist them at home. Home healthcare workers depend on easily accessible parking. With no place to park, many home health care workers will quit. People will lose their critical home healthcare. Their lives will be put in danger.

There would be no place for the delivery people who bring our food and packages to park. People with driveways would be forced to back out into high speed bicycle lanes. People without driveways would be trapped in their homes. Is this what the City of Berkeley wants?

The Hopkins – Peralta neighborhood recently had a dangerous car-jacking, and a separate August armed robbery with a reckless get-away driver smashing into cars and narrowly missing a pedestrian.

Our neighborhood is getting more dangerous. Don't make it even more dangerous by taking away our street parking.

There's no reason to remove our vitally needed parking spaces. Safe bicycle lanes can & should be designed w/out taking away street parking.

The Diablo Engineering consultants should be told to design a safe alternative that does not remove any street parking.

One way to make Peralta Ave safer for all modes of travel would be to ban trucks from Peralta Ave now. 50 or more large trucks barrel down the 1300 block of Peralta every day, posing a danger to pedestrians, bicyclists, & people backing out of their driveways.

OHLONE PLAN WOULD MAKE IT EASIER FOR CITY TO IMPLEMENT THE CONTROVERSIAL HOPKINS CORRIDOR PLAN

The controversial Hopkins Corridor Plan would have eliminated well over 200 parking spaces on Hopkins Street, greatly harming the small businesses around Hopkins & Monterey, and causing great harm to the hundreds of residents on& adjacent to Hopkins Street from Sutter to San Pablo Ave.

Although the Hopkins Corridor Plan has been delayed indefinitely – due to strong community opposition and to the opposition of the Fire Chief - as it would be incompatible with Hopkins' status as a critical evacuation route, the City Council has refused to kill the Plan. Instead it hired more consultants to figure out a way to approve the Hopkins Corridor Plan.

Approval of this Ohlone Plan would codify into city policy that high speed bicyclists, e-bicycles and e-scooter riders trump the safety of pedestrians and of neighborhood residents.

And it would codify that it's ok to remove critically needed neighborhood street parking to the sole benefit of high speed bicyclists and high-speed e-bicycles and e-scooters.

Thus, the approval and implementation of the Ohlone Plan would make it much easier for the Council to then approve the Hopkins Corridor Plan.

ALL WORK ON THE OHLONE PLAN SHOULD STOP UNTIL THE FIRE DEPT'S EVACUATION & RESPONSE TIME STUDY IS AVAILABLE AND HAS BEEN REVIEWED

The Berkeley Fire Department has contracted with a consultant to perform an Evacuation and Response Time Study, which is projected to be completed in the Fall of 2024.

The Fire Department's Standards of Coverage and Community Risk Assessment Study states that current response times are already too long, and that these problem will worsen s Berkeley's density further increases. The report states that survival decreases by 7-10% for every minute of delay getting a heart attack victim.

By not providing an ADA compliant separate pedestrian pathway for the entire length of the Ohlone Greenway, the Plan will result in more pedestrian – two wheeled vehicle collisions and thus the need for yet more 911 emergency calls to an already overburdened Fire Department.

THE WIDENING OF PATHWAY THROUGH CEDAR ROSE PARK FOR BICYCLES, E-BICYCLES & E-SCOOTERS WOULD VIOLATE MEASURE 'L'

Measure L is a parks and open space Citizens Initiative that was adopted by Berkeley voters in Nov. 1986 It states that no public park or public open space can be converted to any non-recreational use without been first submitted to a vote of the citizens at a general election.

The Bicycle, E-Bicycle and E-Scooter pathway through Cedar Rose Park is clearly for transportation – i.e. getting from one place to another. That's the whole point of the Ohlone Corridor Pathway – transportation.

It is NOT for recreation. Cedar Rose Park is NOT an off road vehicle park.

Widening the pathway through Cedar Rose Park – especially to make more room for 2 wheeled motorized vehicles, would be taking away land in a city park that is designated as recreational open space, and instead making it a transportation route.

Thus a vote of the people of Berkeley is needed before the existing pathway in Cedar Rose Park can be widened.

It is important to keep Measure 'L' in mind as the City pursues large scale development at the waterfront.

WHERE'S THE PUBLIC REVIEW?

The city is moving ahead with the Plan now, without public review. We need real public review, before any plan is approved. All we got was a short meeting in with a consultant , who would not take notes. We need more public meetings & a City Council public hearing before any plan is approved.

TO SUM UP:

The Ohlone Path Plan as currently proposed is deeply flawed.

The City and consultants should start over, with a plan that provides separate ADA pedestrian pathway for the entire length of the Plan, that does NOT remove any street parking, and that makes sure that pedestrians can cross safely and away from bicycles, e-bicycles and e-scooters at each intersection within the Ohlone Greenway.

Internal

I therefor respectfully ask the City of Berkeley Commission on Aging to oppose the Ohlone Plan as currently proposed.

Thank you,
Clifford Fred
Berkeley Calif.

Attachment E

Dear Representative Bustamante,

I am writing with concerns about the plans for the Ohlone Way Pathway. Please consider the residents of the area. I have lived on Peralta Avenue for over 50 years, and I have been an involved community resident in all plans for the -neighborhood. Years ago, I helped with planning the Cedar Rose Park, and the community gardens before they were even started. I also helped to put up a sign for bicyclist to yield to pedestrians at Peralta Street. Now that we have electric bikes going at faster speed and much heavier than regular bikes, it has presented more danger for pedestrians. I hope you will remain vigilant in requiring regulations for these fast moving electric bikes, and also consider the disabled community who are vulnerable. As a senior, I am concerned for myself, but I am also concerned for children walking, and actually, when I think of it, everyone.

Thank you.
Virginia Kamp

Commissioners,

Attachment F

As a senior (75 years old) who walks all over town for exercise, to attend meetings, and to run errands, I beg you to take a position against the ill-conceived changes CM Rigel Robinson is proposing to the BMC.

1. The language to allow non-electric bicycles on sidewalks on any streets that provide only sharrows (car traffic lanes marked to be shared with bicycles) or have no bike lane markings or infrastructure at all is dangerous. It encompasses almost all streets in Berkeley, whether they are heavily trafficked with cars or not. It even would apply to Bike Boulevards where they are marked as sharrows, even though those streets are specifically picked because they are low stress, and they may have other traffic calming hardscape, like barriers to car entrance.

2. The language to allow 24/7 use of public paths for transportation purposes is a blatant attempt to greenlight the use of the Ohlone Greenway, where it crosses over city park land, as a bicycle throughway, in violation of Measure L (1986), which requires that this type of change be submitted to the voters.

I understand that, as public policy, the City wants to encourage bicycle usage. It should also be encouraging pedestrian activity. To do one at the expense of the other, especially given that pedestrians are more vulnerable than cyclists and are often elderly people, is ill-advised.

Making sidewalks unsafe for the elderly, in particular, runs the risk of making people like me more home bound and endangers our health in more ways than just being hit by a bike. Likewise, taking away the right of the elderly to go to a park simply to stroll, and making it into an exercise of risk assessment, poses the same problem

Please take a strong stand against CM Robinson's proposal.

Sincerely,

Donna DeDiemar

1316 Albina Ave.

CITY CLERK DEPARTMENT 2024 COUNCIL MEETING TIMELINE

Attachment G

COUNCIL MEETING	THURSDAY 12:00 PM - Day 33 - DEPT. REPORTS DUE TO CLERK	MONDAY 5:00 PM - Day 22 - COUNCIL MEMBER REPORTS DUE TO CLERK	THURSDAY 12:00 PM - Day 19 - AGENDA COMMITTEE PACKET TO PRINT	MONDAY 2:30 PM - Day 15 - AGENDA COMMITTEE MEETING	WEDNESDAY 11:00 AM - Day 13 - FINAL AGENDA MEETING (PRINT AGENDA ON WED.)	THURSDAY By 5:00 PM - Day 12 - COUNCIL AGENDA DELIVERY
Winter Recess [December 13, 2023 through January 15, 2024]						
Jan 16	12/14	12/26 (Tue)	1/2 (Tue)	1/4 (Thur)	1/4 (Thur)	1/5 (Fri)
Jan 30	12/28	1/8	1/11	1/16 (Tue)	1/17	1/18
Feb 13	1/11	1/22	1/25	1/29	1/31	2/1
Feb 27	1/25	2/5	2/8	2/13 (Tue)	2/14	2/15
Mar 12	2/8	2/20 (Tue)	2/22	2/26	2/28	2/29
Mar 19	2/15	2/26	2/29	3/4	3/6	3/7
Spring Recess [March 20 through April 15, 2024]						
Apr 16	3/14	3/25	3/28	4/1	4/3	4/4
May 7	4/4	4/15	4/18	4/25 (Thur)	4/25 (Thur)	4/26 (Fri)
May 14	4/11	4/22	4/25	5/1 (Wed)	5/1	5/2
May 21	4/18	4/29	5/2	5/7 (Tue)	5/8	5/9
Jun 4	5/2	5/13	5/16	5/21 (Tue)	5/22	5/23
Jun 25	5/23	6/3	6/6	6/10	6/12	6/13
Jul 9	6/6	6/17	6/20	6/24	6/26	6/27
Jul 23	6/20	7/1	7/3 (Wed)	7/8	7/10	7/11
Jul 30	6/27	7/8	7/11	7/15	7/17	7/18
Summer Recess [July 31 through September 9, 2024]						
Sep 10	8/8	8/19	8/22	8/26	8/28	8/29
Sep 24	8/22	9/3 (Tue)	9/5	9/9	9/11	9/12
Oct 1	8/29	9/9	9/12	9/16	9/18	9/19
Oct 15	9/12	9/23	9/26	9/30	10/2	10/3
Oct 29	9/26	10/7	10/10	10/15 (Tue)	10/16	10/17
Nov 12	10/10	10/21	10/24	10/28	10/30	10/31
Nov 19	10/17	10/28	10/31	11/4	11/6	11/7
Dec 3	10/31	11/12 (Tue)	11/14	11/18	11/20	11/21
Dec 10	11/7	11/18	11/21	11/25	11/27	11/27 (Wed)
Winter Recess [December 11, 2024 through January 14, 2025]						

VTO Affected Dates	Holiday Affected Dates	Religious Holiday Affected Date
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Reports not submitted by the deadlines listed will not be included on the agenda.

Worksession	Thursday 12:00 PM	Thursday 5:00 PM
	Day 26	Day 5
	Dept. Reports Due to Clerk	Council Agenda Delivery
Jan 23	12/28	1/18
Feb 6	1/11	2/1
Sep 17	8/22	9/12
Oct 8	9/12	10/3



Ohlone Greenway Safety Improvements Project
Project Information Sheet
December 8, 2023

The following information is intended to address frequently asked questions about the City of Berkeley's Ohlone Greenway Safety Improvements Project. Additional information may be added to the project website to address further questions, at: <https://berkeleyca.gov/your-government/our-work/capital-projects/ohlone-greenway-safety-improvements-project>



Project Overview

The purpose of the Ohlone Greenway Safety Improvements Project is to construct operational and safety improvements to a ½-mile long portion of the Ohlone Greenway shared-use pedestrian and bicycle pathway, from the **Virginia Gardens** crossing at the southernmost Project limit, to the **Santa Fe Avenue** crossing at the northernmost limit. The Project goals are to: upgrade the pathway as a low-stress pedestrian and bicycle path; better accommodate the needs of all users; and improve safety, especially at roadway intersections and during non-daylight hours.

Upgrades will focus on the following:

- Improving safety of pathway/roadway intersections, including more clear sightlines, at seven intersections – Virginia Gardens, Cedar Street, Rose Street, Hopkins Street, Peralta Avenue, Gilman Street, and Santa Fe Avenue.
- Widening the pathway to a minimum of 12 feet where feasible to better separate users of different speeds (e.g., pedestrians and bikes).
- Improved connection at pathway gap on Peralta Avenue, including wayfinding (signage) and traffic calming features.
- Enhanced pathway lighting to improve safety and security of pathway users at intersection approaches, benches, and other locations where potential security issues exist.
- Landscaping work to trim back and/or remove vegetation to increase effectiveness of lighting and to improve visibility and security.

The Ohlone Greenway Safety Improvements Project covers the following areas, from south to north:

- Virginia Gardens intersection.
- Pathway between Virginia Gardens and Cedar St.
- Cedar St. intersection.
- Pathway through Cedar Rose Park.
- Rose St. intersection.
- Pathway between Rose St. and Hopkins St.
- Hopkins St. intersection.
- Bikeway on Peralta St., between Hopkins St. and pathway connection approximately 200 feet north of Hopkins St.
- Peralta St. crosswalk at pathway connection
- Pathway between Peralta St. and Gilman St., excluding the portion of pathway from 200 feet south of Gilman St. to Gilman St.
- Gilman St./Curtis St. intersection.
- Santa Fe Ave. intersection.

Two portions of the Ohlone Greenway are specifically excluded from the project scope to reduce project costs and because the pavement is in relatively good condition:

- Pathway from 200 feet south of Gilman St. to 100 feet south of Gilman St.
- Pathway from 100 feet north of Gilman St. to 100 feet south of Santa Fe Ave.

These areas may be incorporated into the project if sufficient funding is available.

The Ohlone Greenway Safety Improvements Project would implement the 2017 Berkeley Bicycle Plan Tier 1 priority recommendations for pathway and intersection improvements to the Ohlone Greenway, as this pathway receives relatively high volumes of pedestrian and bicycle traffic. The project corridor also intersects and includes crossing safety improvements at two local High-Injury Street segments, Cedar and Rose Streets, as identified in the 2020 Berkeley Vision Zero Action Plan. The proposed pathway improvements are also included in the 2016 Berkeley Strategic Transportation (BeST) Plan, which designates the Project as a priority and a “signature project”, as the BeST Plan seeks to increase mobility, user safety, access to commercial districts and opportunity areas, choices for mode of transportation, and environmental sustainability/resiliency.

The Ohlone Greenway Safety Improvements Project addresses operational and safety issues to create a more seamless low-stress connection for people accessing the North Berkeley BART Station using alternative modes of transportation, including cycling and walking. Increasing cycling and walking and improving connections to transit support Goal 5: Accelerate Implementation of the City's Bicycle & Pedestrian Plans in the City's Climate Action Plan because they reduce vehicle miles traveled in the community and in the region.

The Ohlone Greenway is a vital regional transportation route that runs through four cities and spans two counties: Alameda and Contra Costa. The Ohlone Greenway connects directly to BART stations and Alameda-Contra Costa Transit (AC Transit) hubs, current and planned housing developments, parks, retail, and employment centers. Specifically, the Ohlone Greenway offers an off-street connection between the North Berkeley and El Cerrito Plaza stations, both of which are planned to be developed with thousands of new mixed-income homes, retail, and community-serving facilities.

Budget and Funding

The Ohlone Greenway Safety Improvements Project is funded in large part by an Alameda County Transportation Commission grant, which allocated \$1.271 million for preliminary engineering, environmental clearance, detailed and final design, and construction using Alameda County Vehicle Registration Fee funds. As the project concepts were being developed through an iterative process, taking into account input from numerous stakeholders, it became clear that the project funding would be insufficient to cover construction costs.

To address the project funding shortfall, City staff are planning to submit an application for Safe Routes to BART grant funding in mid-December 2023, which could potentially award up to \$3 million for work during the construction phase.

Other funding for the project, which has a total estimated cost of \$5.1 million, comes from Alameda County Measure BB Bike and Pedestrian discretionary funds.

The Project is being designed by a professional engineering design consultant, procured under Alameda CTC's Local Business Contract Equity (LBCE) Program, which is intended to provide opportunities to small and local businesses to help accomplish Alameda CTC's purchasing objectives, under the oversight of a City of Berkeley project manager.

Project Phases

The development of the Ohlone Greenway Safety Improvements Project will occur in the following phases:

- **Planning.** This includes data collection on existing conditions, development of conceptual design options, stakeholder outreach and coordination of input, establishment of final design concepts, and environmental clearance documentation. The final design concepts establish the overall alignment and geometry of the proposed work, which will be refined and finalized during the subsequent detailed design phase.

- **Detailed Design.** This includes developing detailed design documents – plans specifications, and cost estimate – in several iterations, which are reviewed by City staff, including but not limited to the Public Works Department; Berkeley Fire Department; and Parks, Recreation & Waterfront Department, culminating in construction bid documents which include final design plans and specifications.
- **Construction.** This includes administering a public construction bid process, awarding a construction contract to the lowest responsible and responsive bidder by City Council resolution, and managing construction activities.

Project Schedule

As of December 2023, the schedule for the Ohlone Greenway Safety Improvements Project is as follows:

- August 2022 – March 2023: Planning phase, including public survey and public meeting
- April 2023 – July 2023: Project on hold due to lack of staffing
- September 2023: Conclude Planning phase
- September 2023 – mid-2024: Detailed Design phase
- Late-2024 – Late-2025: Construction (assuming necessary additional funds are secured)

Procurement of Engineering Consultant

City staff initiated the planning and design process by procuring an engineering consultant via an open request for qualifications in January 2022. On April 26, 2022, Berkeley City Council authorized the City Manager to execute a contract with Diablo Engineering Group (Diablo).

Existing Conditions

Under the direction of the City’s project manager, Diablo performed a survey of existing conditions, including site topography, underground utilities and structures, an arborist’s report documenting existing trees along the pathway, and traffic data. City staff also initiated discussions with key operational stakeholders, including the City’s Parks Department, Fire Department, and Zero Waste Division (waste and recycling), as well as AC Transit (bus lines on Cedar St. and Gilman St.) and Berkeley Unified School District (school bus routes), to better understand their operational needs. City staff also had discussions with selected residents and members of community gardens on Peralta Ave. to obtain input that would inform the development of conceptual design options for a proposed bikeway on Peralta Ave.

Design Considerations

General

The project team, consisting of City staff and Diablo, developed conceptual design options, which took into account the following design considerations:

- Compliance with overall goals and objectives of applicable Citywide plans and grant funding requirements.

- Established design standards and state of practice, including accessibility requirements and criteria for a shared-use versus separated-use pathway.
- Existing site conditions.
- Input from City and public stakeholders from numerous discussions, meetings, and public outreach activities.
- Reported collisions and other safety-related issues.
- Access and maneuvering for emergency vehicles.
- Maintenance of ongoing operations, including access in/out of driveways, waste and recycling collection, transit (public bus) routes, and school bus routes.
- Maintenance of existing on-street parking spaces to the extent feasible.
- Preservation of trees, green space, and vegetation to the extent feasible.

In particular, the design team coordinated extensively with the Berkeley Fire Department (BFD); the City's disability/accessibility consultant; Parks, Recreation & Waterfront (PRW) Department; and Legal Department in developing the conceptual design options.

Further information on design considerations are included in the presentation for the February 22, 2023 public information meeting, which can be found on the project website.

Parks and Open Space

Planted areas along the Ohlone Greenway, including green space and trees in Cedar Rose Park and curbside trees, are managed by the PRW Department, whose mission includes maintaining trees and landscaping areas. In general, trees are to be preserved unless they pose an imminent danger or are in poor condition and conflict with proposed project elements. In addition, proposed work should not substantially increase impacts to existing nearby trees, including root systems. Coast Live Oak trees, in particular, are protected by City Ordinance No. 7,615-N.S., which declared a moratorium on removal of trees with a circumference of at least 18 inches, with exceptions for certain conditions.

For the Ohlone Greenway Safety Improvements Project, which proposes to widen the pathway where feasible, substantial efforts were made to develop conceptual options that minimized impacts to and removal of existing trees.

Because an approximately 200-foot long portion of the Ohlone Greenway through Cedar Rose Park is located over root systems of established nearby trees and is already considered closer than ideal to these trees, the pathway cannot be deepened or widened in this area. In addition, because green space and playgrounds in Cedar Rose Park are used for different recreational activities, the pathway cannot be routed through or adjacent to such areas of the park.

Any proposed tree removals are the result of a collaboration between the project arborist and City arborists in the PRW Department, in which existing trees were catalogued and evaluated on several criteria including overall health. The project arborist's report will be posted on the project website after the pathway geometry is finalized, likely in the first quarter of 2024.

Remediation for tree removals as part of this project will consist of replacement trees in Cedar Rose Park, to be located along the west edge of the green space, as specified by the PRW Department.

Emergency and Large Vehicle Access

Design considerations for emergency vehicles are heavily influenced by large vehicles in the Berkeley Fire Department. BFD was consulted during development of the conceptual design options and will continue to be involved in the project via reviews of detailed design documents. Primary design considerations for BFD vehicle access and maneuvering include the following:

- Minimum lane width of 10.5 feet.
- Maintain access and clear space around hydrants.
- Recognize Cedar St., Rose St., and Hopkins St. are designated emergency access routes.
- Maintain vehicle turn movements at intersections.
- Design raised buffers between vehicle lane and bicycle cycletrack to be mountable by emergency vehicles.

Other large vehicles that were considered in the development of conceptual design options include waste and recycling collection, AC Transit buses, and school buses. The project team consulted with the City's Zero Waste Division (ZWD), AC Transit, and Berkeley Unified School District (BUSD) to better understand vehicle routes, sizes, and turning capabilities.

The design team analyzed turn movements for all of these large vehicles to ensure adequate maneuverability to operate as needed.

Driveway Access

The design team mapped locations of all driveways within the project area, including driveways at private residences, parking lots, and community gardens. Proposed project elements, such as roadway medians and buffers, will be sized and located in such a way to not impede access into and out of driveways. This process began in the planning stage and will continue during the detailed design phase.

Pathway Geometry and Operation

The portion of the Ohlone Greenway within the project area currently operates as a two-way **shared-use** pathway, meaning all users of the pathway share the same space and there are no separately-designated spaces for various users, such as pedestrians and bicyclists. The total width of the pathway varies with each segment's approximate width as shown in the table below.

Pathway Segment	Current Width
Virginia Gardens to Cedar St.	10'
Cedar Rose Park	8'
Rose St. to Hopkins St.	11'
Peralta St. to Gilman St.	10'
Gilman St. to Santa Fe Ave.*	12'

*Not currently in the project scope as per the description above in *Project Overview*.

The project-specific guidance in the 2017 Berkeley Bicycle Plan recommends a **shared-use** pathway with a minimum width of 12 feet where feasible. The design considerations described above, as well as other constraints such as mature trees in good condition, municipal stormwater requirements, property boundaries, fences, drainage structures, and public art all limit the potential width of the pathway. In particular, if the pathway is further widened, municipal stormwater requirements requiring treatment of stormwater for increases in impervious (i.e., paved) surfaces over an established threshold are particularly onerous and could result in the design and construction of large, costly underground storage basins for stormwater collection and dissipation into the subsurface soils, which would likely render the project infeasible from the standpoints of funding and grant schedule compliance.

The final design concepts resulted in the proposed pathway widths shown in the table below. The pathway widths are based on the edge-to-edge dimensions of the paved surfaces, inclusive of shoulders.

Pathway Segment	Current Width	Proposed Width
Virginia Gardens to Cedar St.	10'	14'
Cedar Rose Park	8'	8'
Rose St. to Hopkins St.	11'	12'
Peralta St. to Gilman St.	10'	12'
Gilman St. to Santa Fe Ave.*	12'	12'

The design team considered changing the operation of the pathway within the project area from a **shared-use** pathway to a **separated-use** pathway but found this change to be infeasible given the constraints described above.

To qualify as a two-way **separated-use** pathway, the pathway design would need to meet State standards (Highway Design Manual Topic 1003 – Bikeway Design Criteria & Topic 105.2 – Sidewalks and Walkways, updated July 1, 2020), which specify the following minimum widths:

- 8-foot width for bikes, 10-foot preferred for bikes
- 6-foot width for pedestrians
- 2-foot width for shoulder

In order to comply with these standards, a two-way **separated-use** pathway would need a minimum width of 16 feet. Because the proposed pathway widths for every segment disqualify its use as a **separated-use** pathway, it would need to meet the requirements of a **shared-use** pathway, which are described in the following design standards:

- Caltrans Highway Design Manual, Section 1003.1, Class I Bikeways (Bike Paths)
- American Associate of State Highway and Transportation Officials (AASHTO) Guide for the Development of Bicycle Facilities, Chapter 5 - Design of Shared Use Paths
- Federal Public Right-of-Way Accessibility Guidelines (PROWAG), Section R302.3.2, Shared Use Paths

These standards indicate a minimum width of a two-way **shared-use** pathway shall be 8 feet, with 10 feet preferred. All proposed segments of the pathway would meet the

preferred minimum width requirement except the segment through the grove of mature trees in Cedar Rose Park, which is about 200 feet long; this segment is constrained to the existing 8-foot width as described previously in *Parks and Open Space*. The design standards allow a pathway width of 8 feet over a short distance due to a physical constraint such as an environmental feature, bridge abutment, utility structure, fence, and such. The City considers several of the physical constraints described above (i.e., mature trees in good condition, preservation of park open space, and property boundaries) for the segment in Cedar Rose Park as qualifying this portion of the pathway for this allowance.

During the detailed design phase of the project, pathway signage and pavement markings will be incorporated into the design. In general, signage and/or pavement markings will provide pathway user guidance such as a narrowing pathway, speed limits, and to share the pathway, among others.

The continued operation of the Ohlone Greenway within the project limits as a **shared-use** pathway is consistent with the operation of other **shared-use** pathways in the Berkeley area, including major portions of the West Street Pathway, Emeryville Greenway, Bay Trail, and many East Bay Regional Park District trails.

Pathway Accessibility

The final design concepts were developed in compliance with the Americans with Disabilities Act (ADA) and in accordance with the California Building Code and the PROWAG. The detailed design documents, including the final design documents, will also be prepared in accordance with these standards.

Electric Bicycles and Motorized Scooters

The use of electric bicycles, or e-bikes, is described in California Assembly Bill AB-1096, which defines the following types of e-bikes:

- Class 1, or “low-speed pedal-assisted electric bicycle” provides motor assistance up to 20 mph when rider is pedaling.
- Class 2, or “low-speed throttle-assisted electric bicycle” has a motor that may be used exclusively to propel the bicycle up to 20 mph.
- Class 3, or “speed pedal-assisted electric bicycle” provides motor assistance up to 28 mph when the rider is pedaling.

AB-1096 specifically prohibits the use of Class 3 e-bikes on bikeways. As such, Class 3 e-bikes are prohibited from use on the Ohlone Greenway, whereas Class 1 and Class 2 e-bikes may be used on the Ohlone Greenway.

Regarding motorized scooters, the California Vehicle Code indicates that “no person shall operate a motorized scooter at a speed in excess of 15 miles per hour”. Motorized scooters may be used on the Ohlone Greenway.

All bicyclists and motorized scooter use on the Ohlone Greenway must comply with the provisions of California Vehicle Code.

Public Outreach

City staff and Diablo performed extensive public outreach activities at the beginning of the project, from November 2022 to September 2023. Outreach was performed to better understand existing conditions, provide operational and design considerations that guided the development of design concepts, and obtain public input to be taken into consideration in finalizing the design concepts.

Public outreach activities consisted of the following:

- Project website, which includes associated project documents:
- Hand-delivered letters to residences on Peralta Ave. and the Hopkins-Peralta apartments, dated November 2022, to initiate individual discussions about proposed two-way bikeway on Peralta.
- Emails and discussions with all community gardens along Peralta, from November 2022-January 2023.
- In-person events in Cedar Rose Park on February 2 and 4, 2023, which were advertised via signs posted in the nearby area. City staff and design consultants discussed the proposed concepts that would be depicted in the online survey.
- Online survey from February 8 – March 6, 2023, which was advertised via sidewalk stickers and signs in the nearby area and postcards to all residences within 300 feet of the project area. City staff received input and comments from over 500 participants.
- Online public meeting on February 22, 2023, which was advertised with sidewalk stickers and signs in the nearby area, postcards to all residences within 300 feet of the project area, and an email notification to Councilmember Kesarwani's office.
- Updated concepts for Rose St., Peralta Ave., and Gilman St. were prepared based on input from the public. These concepts were posted on the project website in August 2023 to request public comments and were advertised with postcards to all residences within 300 feet of these intersections and an email notification to Councilmember Kesarwani's office. City staff received dozens of comments in response.
- Presentation to Commission on Disability on September 13, 2023 to discuss design considerations in the continued use of the pathway as a shared use pathway.

Upcoming public meetings are anticipated to include the following:

- Planned presentation to the Transportation & Infrastructure Commission on January 18, 2024 to provide a project overview, including selected design concepts and initial design details.
- Planned City of Berkeley Council Meeting at the conclusion of the construction bid process to approve the final plans and specifications and award the construction contract to a contractor that is the lowest responsible and responsive bidder.

Final Conceptual Design

The design team established final conceptual design concepts at the conclusion of the public comment period for updated concepts in September 2023. The final concepts take into account the design considerations listed above and are intended to balance competing interests, such as preservation of green space and trees vs. pathway width. The final concepts are posted on the project website.

Detailed Design Phase

As of December 2023, the project is in the early portion of the detailed design phase. The design team is refining the pathway geometry, including medians, curb ramps, and crosswalk detailing; determining locations and types of signage and pavement markings; performing a lighting study to determine preferred locations for new pathway lighting; establishing preferred means for actuation of proposed rectangular rapid flashing beacons (RRFBs); and designing irrigation systems for green spaces and proposed tree planting areas. Coordination with particular stakeholders, including but not limited to the Public Works Department (including ZWD), BFD, PRW Department, the City's disability/accessibility consultant, Legal department, and BART will continue as necessary in order to further develop and finalize the design.