



**Commission on Disability  
AGENDA  
Special Meeting**

**Commission on Disability  
Wednesday January 19, 2021 6:00 PM**

***Pursuant to Government Code Section 54953(e) and the state declared emergency, this meeting of the Commission on Disability will be conducted exclusively through teleconference and Zoom videoconference. The COVID-19 state of emergency continues to directly impact the ability of the members to meet safely in person and presents imminent risks to the health of attendees. Therefore, no physical meeting location will be available.***

**Public Works Engineering is inviting you to a scheduled Zoom meeting.**

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**Topic: Commission on Disability Special Meeting**

**Time: Jan 19, 2022 06:00 PM Pacific Time (US and Canada)**

**Join Zoom Meeting**

**<https://us02web.zoom.us/j/84591042999?pwd=NnRqQS9pdTY1cVpXU0xORnlzV3kyZz09>**

**Meeting ID: 845 9104 2999**

**Passcode: 597888**

**One tap mobile**

**+16699009128,,84591042999# US (San Jose)**

**+13462487799,,84591042999# US (Houston)**

**Dial by your location**

**+1 669 900 9128 US (San Jose)**

**+1 346 248 7799 US (Houston)**

**+1 253 215 8782 US (Tacoma)**

**+1 301 715 8592 US (Washington DC)**

**+1 312 626 6799 US (Chicago)**

**+1 646 558 8656 US (New York)**

**Meeting ID: 845 9104 2999**

**Find your local number:**

**<https://us02web.zoom.us/j/kjbsaJHz>**

## **A. PRELIMINARY BUSINESS**

- 1) **Call to Order by Chair Freeman**
- 2) **Roll Call by Secretary**
- 3) **Public Comment on Items Not on the Agenda.  
(Up to 3 minutes per speaker)**
- 4) **Approval of Draft Action Minutes of January 12,  
2022\***
- 5) **Staff Update**
  - **Chat**
  - **ADA Transition Plan Survey**
  - **Last meeting zoom issue**
- 6) **Approval and Order of Agenda**

## **B. ACTION ITEMS**

**The public may speak at the beginning of any item.  
(Comments may be limited to 3 minutes per speaker)**

### **1. Meeting Schedule**

Proposed action: Set meeting schedule of first  
Wednesday for 2022

### **2. Elections**

Proposed Action: Elect Chair and Vice Chair

**3. Action Item: To Review Letter To Council Requesting Appointing Commissioners To Commission On Disability.**

Proposed Action: Approve letter from the Commission on Disability requesting the appointment of members to the commission to address vacancies.

**Commission will take a 5 minute break around 8pm.**

**C. DISCUSSION ITEMS**

**The public may speak at the beginning of any item.  
(Comments may be limited to 3 minutes per speaker)**

**1. Housing Element Update\*\*\***

**2. Elevator Ordinance Revisions Update \*\*\***

**3. Easy Does IT**

**Announcements**

**C. INFORMATION ITEMS AND SUBCOMMITTEE REPORTS**

**D. COMMUNICATIONS**

**1. FUTURE AGENDA ITEMS (from adopted work plan, referrals, etc.)**

**TBD**

**E. ADJOURNMENT: no later than 9:00pm**

**Agenda Posted: TBD**

**\* Indicates written material included in packet.**

**\*\* Indicates material to be delivered at meeting.**

**\*\*\* Indicates material previously mailed.**

**A complete agenda packet is available for public review on the web at:**


**<https://www.cityofberkeley.info/Clerk/Commissions/Commissio>**

**[ns Commission on Disability Homepage.aspx](https://www.cityofberkeley.info/Clerk/Commissions/Commissions/Commission%20on%20Disability%20Homepage.aspx)**

**Available also at the main library, and Public Works,**

**Engineering Division, 1947 Center Street, 4th Floor.**

## **ADA Disclaimer**

** “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, or alternative formats, please contact the Disability Services specialist at 981-6400 (V) or 981-6347 (TDD) at least three business days before the meeting date. Please refrain from wearing scented products to this meeting.**

## **Communications Disclaimer**

**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. Commission Secretary: Dominika Bednarska, Disability Services Specialist, 1947 Center St., 4th Floor, Berkeley, CA, 94704, Telephone (510) 981-6418, Fax: (510) 9817060 TDD: (510) 981-6347.***

**Email: [DBednarska@cityofberkeley.info](mailto:DBednarska@cityofberkeley.info)**



**Commission on Disability  
DRAFT MINUTES  
Special Meeting**

**Commission on Disability  
Wednesday January 12, 2021      6:00 PM**

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**<https://us02web.zoom.us/j/82902111307?pwd=SXBvQnNkQ3ZyTnRtVU91UDZsV3hvdz09>**



**Meeting ID: 829 0211 1307**

**Passcode: 052290**

**One tap mobile**

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## **A. PRELIMINARY BUSINESS**

- Call to Order by Chair Freeman**
- Roll Call by Secretary**
- Public Comment on Items Not on the Agenda.  
(Up to 3 minutes per speaker)**
- Approval of Draft Action Minutes of December, 8  
2021\* (Freeman/Singer Freeman aye, Singer aye,  
Walsh aye,)**

- **Staff Update**
  - Chat
  - ADA Transition Plan Survey
- **Approval and Order of Agenda (Walsh/Freeman, Freeman aye, Singer aye, Walsh aye,)**

## **B. ACTION ITEMS**

**The public may speak at the beginning of any item. (Comments may be limited to 3 minutes per speaker)**

- **Elevator Ordinance**

Proposed Action: Create a subcommittee on the elevator ordinance revisions (Freeman/Walsh, Freeman aye, Singer aye, Walsh aye,)

Make Helen head of subcommittee (Freeman/Walsh, Freeman aye, Singer aye, Walsh aye,)

Reconvene next Wednesday at 6pm (Freeman/Singer, Freeman aye, Singer aye, Walsh aye,)

Adjourn 6:52 pm due to conflicting meeting in zoom account (Freeman/Singer, Freeman aye, Singer aye, Walsh aye,)

- **Meeting Schedule**

Proposed action: Set meeting schedule of first Wednesday for 2022

- **Elections**

Proposed Action: Elect Chair and Vice Chair

- Action Item: To Review Letter To Council Requesting Appointing Commissioners To Commission On Disability.

Proposed Action: Approve letter from the Commission on Disability requesting the appointment of members to the commission to address vacancies.

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**C. DISCUSSION ITEMS**

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- **Housing Element Update\*\*\***
- **Elevator Ordinance Revisions Update \*\*\***
- **Easy Does IT**

## Announcements

- **INFORMATION ITEMS AND SUBCOMMITTEE REPORTS**
- **COMMUNICATIONS**

**1. FUTURE AGENDA ITEMS (from adopted work plan, referrals, etc.)**

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**E. ADJOURNMENT: no later than 9:00pm**

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*relevant board, commission or committee for further information.* **Commission Secretary: Dominika Bednarska, Disability Services Specialist, 1947 Center St., 4th Floor, Berkeley, CA, 94704, Telephone (510) 981-6418, Fax: (510) 9817060 TDD: (510) 981-6347. Email: DBednarska@cityofberkeley.info**



[Commission Name]

## CALENDAR

To: Honorable Mayor and Members of the City Council

From:

Submitted by: Commission on Disability

Subject: Chapter 19.50, Elevators-Buildings with Ten or More Units and Two or More Stories

### RECOMMENDATION

Clarifying standards and reducing the change of a court misunderstanding the intent of the code.

1. Require that alternative housing be accessible and that “ accessible “ is defined by the California Building Code.
2. Clarifying what standard for “reasonable arrangements”, and “ reasonable steps” in section 19.50.040(C). Using the elevator industry standard is more protective of tenants, because it is a higher standard.
3. Clarify that both immediate repair and alternative housing are required, not one or the other, section 19.50.060(A). revision adding “ and/or”.
4. Removing the 10-Day limit on providing alternative housing, where the elevator cannot be repaired immediately.
5. Raise the maximum cost of alternative housing to meet modern economic realities.
6. Include a food voucher to meet the modern economic realities.

SUMMARY *[This section is included only if report exceeds three pages.]*

### FISCAL IMPACTS OF RECOMMENDATION

### CURRENT SITUATION AND ITS EFFECTS

The intent of Clarifying standards is to protect persons with disabilities and seniors who are unable to use the stairs from being displaced or having to face an undue financial burden following an unexpected elevator outage or repair.

BACKGROUND

Currently the Chapter 19.50 places an undue burden on the diverse community of persons with disabilities and seniors. Clarifying these standards would ensure that tenants with disabilities and seniors would have full and equal use of their homes. It would also reduce misunderstandings in the intent of the code that can lead to undue burdens for the largest minority.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

RATIONALE FOR RECOMMENDATION

ALTERNATIVE ACTIONS CONSIDERED

CITY MANAGER

The City Manager [TYPE ONE] concurs with / takes no position on the content and recommendations of the Commission's Report. [OR] Refer to the budget process.

**Note: If the City Manager does not (a) concur, (b) takes any other position, or (c) refer to the budget process, a council action report must be prepared. Indicate under the CITY MANAGER heading, "See companion report."**

CONTACT PERSON

, , ,

Attachments: [Delete if there are NO Attachments]

- 1: Ordinance
  - Exhibit A:
  - Exhibit B:
- 2:
- 3:



ORDINANCE NO. -N.S.

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

Section 1. That Berkeley Municipal Code is amended to read as follows:

Section 2. That Berkeley Municipal Code is amended to read as follows:

Section . 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.

Exhibits [Delete if there are NO exhibits]

A: Title of the Exhibit

B: Title of the Exhibit