



**Commission on Disability
AGENDA
Regular Meeting**

**Commission on Disability
Wednesday September 1 2021 6:00 PM**

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

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

**Topic: Commission on Disability
Time: Sep 1, 2021 06:00 PM Pacific Time (US and
Canada)**

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NGM5L3drVkQ5bIZsd0FDSIRLdz09](https://us02web.zoom.us/j/84774213417?pwd=ZVB2NGM5L3drVkQ5bIZsd0FDSIRLdz09)**

Meeting ID: 847 7421 3417

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886 2904 5193. If you wish to comment during the public comment portion of the agenda, Press *9 and wait to be recognized by the Chair. Note: Your phone number will appear on the videoconference screen.

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 August 4,
2021.***
- 5) Staff Update.**
- 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)**

Commission will take a 5 minute break around 8pm.

1. Housing Element Presentation *

**Proposed Action: Elect representative to the
Stakeholders Group**

2. Disability and ethnicity data in city contracts and city services. (Freeman)

**Proposed Action: Formation of ADA Access, Equity
Subcommittee**

C. DISCUSSION ITEMS

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

- 1. Berkeley Transportation Subcommittee (Walsh)**
- 2. Berkeley-El Cerrito Corridor Access Plan and Berkeley BART stations (Walsh)**
- 3. Easy Does It Discussion
EDI Director and Board member should be attending.**
- 4. Commission Vacancies**
- 5. Accessible Housing Item Update**
- 6. Elevator Ordinance Update**
- 7. I. Ethnicity & Disability Statistics of People who have contracted Covid in Berkeley since the beginning of the pandemic. ***
- 8. II. Utilization rates and accessibility of City of Berkeley Covid testing sites for BIPOC people with disabilities. ***
- 9. IV. Number of BIPOC people with disabilities who have accessed Covid related and/or supportive services since the beginning of the pandemic. III. Vaccinations distribution among**

seniors and BIPOC communities with disabilities in Berkeley *
(Freeman)

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/Commissions_Commission_on_Disability_Homepage.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.

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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

Commission on Disability
AGENDA
Special Meeting
DRAFT MINUTES

Commission on Disability
Wednesday August 4 2021 6:00 PM

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

Join Zoom Meeting

<https://us02web.zoom.us/j/89228676050?pwd=NHc3QWhvV2lweUErYU5XZDRmR0dOQT09>

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A. PRELIMINARY BUSINESS

- Call to Order by Vice Chair Freeman (@6:07)
- Roll Call by Secretary Walsh: Present Singer, Present Freeman: Present,
- Public Comment on Items Not on the Agenda. (Up to 3 minutes per speaker) Betsy Norris Berkeley East Bay Grey Panthers disabled residents had no way to evacuate because elevators are turned, Cheryl Davila spoke about the need for better emergency preparedness for fires, evacuation and power shut offs .Kristen Spencer

and Carole gave comments about needing to manage the EDI regisery and fire department registry.

-
- Approval of Draft Action Minutes of February 25, 2021 (Freeman/Singer, all ayes)
- Staff Update. (Freeman/Singer, all ayes)
- Approval and Order of Agenda (agenda reordered per the below, Freeman/Walsh, all ayes)

B. DISCUSSION/ACTION ITEMS

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

Commission will take a 5 minute break around 8pm

- **Set schedule for regular meetings**
- Motion: Regular meetings on the first Wednesday of the meetings and schedule additional special meetings as needed (Freeman/Walsh, all ayes)
- **Elections**
Motion: Freeman elected as Chair; Walsh as Vice Chair (Singer/Freeman, all ayes)

3. Easy Does It Emergency Services (Freeman)

Multiple people spoke about issues with staff are treated, lack of staff, lack of staff of the same gender of client, and concerns about the Executive Director.

Motion: Invite EDI to the next meeting in September with or without a board member. (Freeman/Walsh all ayes)

Motion: Gather input from staff community and manager of the contract (audit reports) and write a letter to Council (Freeman/Walsh)

Freeman also wants to draft a report to be submitted to Council (Freeman) No second.

4. Elevator Ordinance Update

Carole spoke about the need for elevator ordinance enforcement.

Motion: Invite Celia McGuinness (Disability Rights Attorney) and Secretary will resend her comments, previously submitted to the Commission. (Freeman/Walsh) all ayes.

All other items postponed to a future meeting due to lack of time.

5. Berkeley Transportation Subcommittee (Walsh)

6. Berkeley-El Cerrito Corridor Access Plan and Berkeley BART stations (Walsh)

7. Vacancies

8. I. Ethnicity & Disability Statistics of People who have contracted Covid in Berkeley since the beginning of the pandemic. *

II. Utilization rates and accessibility of City of Berkeley Covid testing sites for BIPOC people with disabilities. *

IV. Number of BIPOC people with disabilities who have accessed Covid related and/or supportive services since the beginning of the pandemic. III. Vaccinations distribution among seniors and BIPOC communities with disabilities in Berkeley *
(Freeman)

7. Disability and ethnicity data in city contracts and city services. (Freeman)

• Accessible Housing Update

. Announcements

- INFORMATION ITEMS AND SUBCOMMITTEE REPORTS**

- COMMUNICATIONS**

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

TBD

E. ADJOURNMENT: 9:31 PM (Freeman/Walsh)

Agenda Posted: TBD

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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

STAFF MEMORANDUM

DATE: September 1, 2021

TO: Members of the Commission on Disability

FROM: Grace Wu, Senior Planner

Alene Pearson, Principal Planner

SUBJECT: Overview of the Upcoming Housing Element Update and Request to Identify a Member to Participate in the Public Outreach Effort

RECOMMENDATION

Receive information about the update to the Housing Element of the General Plan, discuss potential community partners to be included on the stakeholder list, and identify a commissioner to participate in public outreach efforts related to the Housing Element Update who will report back to the Commission on Disability at future meetings.

BACKGROUND

The Housing Element Update will serve as the City of Berkeley's housing plan for the next eight-year cycle (2023-2031), consistent with mandates of State law and regional planning efforts. It is an important opportunity for Berkeley's residents and community members to come together on assessing housing needs, identifying policy and resource priorities, and finding solutions to implement a wide range of housing choices. The plan contains goals, policies, and programs that will guide the City's decision-making around the development and rehabilitation of housing and necessary zoning amendments to accommodate a substantial increase in the amount of housing, including affordable housing, in the city.

Racial and social equity, and protections for vulnerable and historically impacted communities, are key factors in this Housing Element Update. State law also requires that the Housing Element affirmatively furthers fair housing and examines its policies and programs to ensure they prevent poverty concentration and segregation.

As part of the outreach effort for the Housing Element Update, 10 boards and commissions were identified as having a role in the outreach and policy preparation process because their recommendations may have direct implications on the City's housing policies, programs, and residential development standards¹. Each Board or Commission is being asked to identify a member to participate in the public outreach efforts by joining the email list, attending three public workshops over the course of 18 months, and providing project updates at their respective board or commission meetings.

Key Components of a Housing Element

The content of the Housing Element and the methodologies used for analyzing constraints and sites inventory are dictated by State law and guided by the California Department of Housing and Community Development (HCD). The Housing Element includes the following components:

1. *Housing Needs Assessment*: Examine demographic, employment and housing trends and conditions and identify existing and projected housing needs of the community, with attention paid to special housing needs (e.g., large families, persons with disabilities).
2. *Evaluation of Past Performance*: Review the prior Housing Element to measure progress in implementing policies and programs.
3. *Housing Sites Inventory*: Identify available sites for housing development to ensure there is enough land zoned to meet the future need at all income levels.
4. *Community Engagement*: Implement a robust community engagement program, reaching out to all economic segments of the community, and especially underrepresented groups.
5. *Constraints Analysis*: Analyze and recommend remedies for existing and potential governmental and nongovernmental barriers to housing development.
6. *Policies and Programs*: Establish policies and programs to be carried out during the 2023-2031 planning period to fulfill the identified housing needs.

State law does not require that jurisdictions *build* or *finance* new housing, but cities are required to identify and zone sufficient sites to accommodate the anticipated growth over the next eight-year period.

Regional Housing Needs Allocation (RHNA)

Overall, the Bay Area must plan for 441,176 new housing units during the 6th cycle, compared with 187,990 for the 5th cycle (2015-2023). Each jurisdiction in California receives a target number of units across income levels, called the Regional Housing Needs Allocation (RHNA)², that must be planned for in the Housing Element Update. Berkeley's draft RHNA is 8,934 residential units. The City did not appeal its draft RHNA allocation, recognizing that the allowable circumstances for appeals outlined in Government

¹ Commission on Aging; Children, Youth, and Recreation Commission; Commission on Disability; Energy Commission; Housing Advisory Commission; Homeless Services Panel of Experts; Homeless Commission; Landmarks Planning Commission; Planning Commission; Zoning Adjustments Board.

² May 20, 2021. *Final Regional Housing Needs Allocation (RHNA) Methodology and Draft Allocations*. ABAG. https://abag.ca.gov/sites/default/files/documents/2021-05/ABAG_2023-2031_Draft_RHNA_Plan.pdf

Code Section 65584.05 were not applicable to the City of Berkeley³. The final target RHNA will be issued by the Association of Bay Area Governments (ABAG) in December 2021.

Table 1 provides a comparison of Berkeley’s RHNA numbers at all income levels during the 5th cycle, the number of new units that have been issued building permits between 2015 and 2020, and the draft RHNA for the upcoming 6th cycle. While the total units issued building permits over the last five years are in line with the 5th cycle RHNA, challenges remain for meeting lower and moderate income housing targets.

Table 1: Berkeley RHNA Allocation, 5th & 6th Cycles

Income Level ⁴	5 th Cycle RHNA Units	Units Permitted 2015-2020 ⁵	6 th Cycle DRAFT RHNA Units
Very Low (< 50% AMI)	532	232	2,446
Low (50 – 80% AMI)	442	41	1,408
Moderate (80 – 120% AMI)	584	91	1,416
Above Moderate (> 120% AMI)	1,401	2,579	3,664
Total	2,959	2,943	8,934

Timeline

Due to strict deadlines imposed by the State and severe penalties for missed deadlines⁶, it is critical that the Housing Element Update stay on schedule and is approved by City Council and certified by HCD by January 31, 2023. This means that the majority of the housing needs analysis and assessment, sites inventory, and rezoning will be *identified* within the first six months of the 18-month project in order to allow for sufficient time to conduct a thorough and legally defensible environmental review (see Figure 1: Housing Element Project Timeline).

³ 2023-2031 RHNA Appeals Process. ABAG. <https://abag.ca.gov/our-work/housing/rhna-regional-housing-needs-allocation/2023-2031-rhna-appeals-process>

⁴ 2021 income levels by family size are available at <https://www.acgov.org/cda/hcd/documents/2021IncomeandRentLimits.pdf>

⁵ Based on revised 2015-2020 APR unit counts, accepted by HCD on July 14, 2021

⁶ Failure to comply would impact Berkeley’s eligibility and competitiveness for federal, state, and regional affordable housing and infrastructure funding sources. Many state and regional grant and loan programs require a compliant Housing Element, including the Affordable Housing and Sustainable Communities Program (AHSC), the Local Housing Trust Fund Program (LHTF), and Metropolitan Transportation Commission’s (MTC) One Bay Area Grant transportation funding.

Figure 1: Housing Element Project Timeline



Outreach and Engagement

Outreach and engagement are integral parts of this project from initiation to adoption. The overall plan for outreach and engagement includes 20 stakeholder interviews, a community-wide survey, 20 small format meetings, three work sessions with the City Council, and three public workshops. Based in part on the feedback received from the 10 boards and commissions, City staff—working with an outreach consultant—will invite community partners and stakeholders to participate in the interviews and small format meetings.

DISCUSSION

1. Which community partners should be included on the stakeholder list, with the goal to further fair housing and engage racially and socially disadvantaged communities?
2. Which member of the Commission on Disability is interested and able to participate in the Housing Element Update public outreach effort? Participation includes joining the email list, attending three public workshops over the course of 18 months, and providing project updates at future commission meetings.

Prepared by: Grace Wu, Senior Planner, gwu@cityofberkeley.info, 510-981-7484

LINKS

1. April 30, 2021. *Housing Element Off-Agenda Memo*. Berkeley City Council. https://www.cityofberkeley.info/uploadedFiles/Clerk/Level_3_-_General/Housing%20Element%20Update%20042821.pdf
2. April 28, 2015. *Adopted 2015-2023 5th Cycle Housing Element*. https://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3_-_Commissions/Commission_for_Planning/2015-2023%20Berkeley%20Housing%20Element_FINAL.pdf