



Commission on Disability
AGENDA
Regular Meeting

Commission on Disability
1947 Center St.
Multipurpose Room
Berkeley, CA 94704

Wednesday
11/06/2019
6:30 PM

A. PRELIMINARY BUSINESS

- 1) Call to Order by Chair Ghenis
- 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 October 2, 2019.
- 5) Staff Update.
- 6) Approval and Order of Agenda

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

1. Meeting logistics and related concerns.

Clarify that all concerns have been addressed; note if

there are any ongoing barriers, and what barriers are; progress as needed. (5 minutes / Ghenis)

2. Easy Does It Presentation. (20 minutes)

3. Wildfires and Power Outages (5 min)

4. Service Animals Welcome. (Discussion.10 minutes)

6. Aligning Work Plan with Fiscal Year. Discussion. (5 min/COD).

7. Meeting schedule for 2020. Discussion (5 min.)

8. Access Line Item in Council Templates. Discussion and update. (5 minutes/COD)

9. Elevator Ordinance. Discussion and update. (20 minutes/COD)

10. New Construction and Renovations – Accessibility Guidelines and Regulations** (10 minutes/ Ghenis) Develop comprehensive framework for accessibility in new construction and/or renovations. Discussion of Council item.

11. Photos for Navigable Cities Item. Discuss photos for Navigable Cities item. (5 minutes/COD)**

10. Announcements

C. INFORMATION ITEMS AND SUBCOMMITTEE

REPORTS

1. Peace and Justice Commission Subcommittee on the Convention on the Rights of Persons with Disabilities- Update on activity or projects of this subcommittee since last meeting. (5 minutes / Walsh & Weiss)

D. COMMUNICATIONS

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

Navigable Cities Items

- **Construction issues**
- **Portable signs**
- **Photo survey**

Sidewalk discussion item

Events Calendar

Service Animals Welcome

Elevator ordinance

Access line item in Council templates

E. ADJOURNMENT: no later than 9:30pm

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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Commission Secretary: Dominika Bednarska, Disability Services Specialist, 1947 Center St., 4th Floor, Berkeley, CA, 94704, Telephone (510) 981-6411, Fax: (510) 981-7060 TDD: (510) 981-6347.

Email: DBednarska@cityofberkeley.info



Commission on Disability TOWN HALL
DRAFT MINUTES
Regular Meeting

Commission on Disability
1947 Center St.
Multipurpose Room
Berkeley, CA 94704

Wednesday
10/02/2019
6:00 PM

A. PRELIMINARY BUSINESS

- 1) Call to Order by Vice Chair Leeder at 6:20 PM
- 2) Roll Call by Secretary: Ghenis: Absent, Singer: Present, Leeder: Present, Smith: Present, Ramirez: Present, Walsh: Present, Public Comment on Items Not on the Agenda. (Up to 3 minutes per speaker)
- 3) Approval of Draft Action Minutes of September 4, 2019* (Walsh/Singer, all ayes)
- 4) Staff Update.
- 5) Approval and Order of Agenda (Walsh/Singer, 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)

- 1) Commission Project Overview (No action taken)

- 2) Milvia Bikeway Presentation (No action taken)
- 3) New Designs and Accessibility (No action taken)
- 4) Transportation (No action taken)
- 5) Housing (No action taken)
- 6) Open Forum Presentation by Berkeley Disaster Preparedness Network (No action taken)

Discussions focused on the Milvia Bikeway Presentation by Eric Anderson, Department of Transportation eanderson@cityofberkeley.info and Berkeley Disaster Preparedness Network Presentation by Alex M. White.

Adjourned at 9:05 PM (Singer/Smith, all eyes)

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Commission on Disability

INFORMATION
CALENDAR
Meeting Date:

To: Honorable Mayor and Members of the City
Council

From: Commission on Disability

Submitted by: Alex Ghenis, Chairperson, Commission
on Disability

Subject: Elevator Ordinance Referral Information

INTRODUCTION

The Elevator Ordinance Referral aims to provide alternative housing to people with disabilities in the event of an emergency or out-of-service elevator in apartment complexes of 10 or more units and 2 or more stories. However, the municipal code should provide more adequate financial means in order to provide adequate and accessible accommodations, especially to tenants who use medical equipment and mobility devices.

SUMMARY *[This section, included only if report exceeds three pages, replaces the introductory paragraph described above.]*

CURRENT SITUATION AND ITS EFFECTS

The intent of the elevator ordinance referral is to protect members of people with disabilities and seniors who depend on mobility devices from being displaced or having to face an undue financial burden for seeking alternative accessible housing following an unexpected elevator outage in their apartment complex residencies. These problems are especially serious in the City of Berkeley and the greater Bay Area where conventional, affordable housing is scarce while accessible, affordable housing is exceptionally rare. Moreover, there is no written, explicit protocol for landlords and owners of apartment complexes of 10 units or more and 2 stories or more to follow if an elevator were to go out of commission.

BACKGROUND

People with disabilities and the elderly are often the last minority population to be evacuated or left behind in case of a disaster emergency or a malfunction occurrence in effect of an elevator not being in service and often have difficulty in finding and affording the cost of alternative accessible housing or rent of a hotel and food costs outside their normal rental payments monthly because these people can't seek adequate employment and have to on government assistance to survive. Therefore, the landlord should provide an incentive on reduced payments of rent if an elevator is not in service for a long period of time

ENVIRONMENTAL SUSTAINABILITY

If there is a fire, earthquake, water damage, or some type of natural disaster, it is not recommended to use the elevator.

POSSIBLE FUTURE ACTION

One action that should be considered is changing the language of the Elevator Ordinance referral to include a requirement for owners or landlords to provide alternative accessible housing, which can include an accessible unit in the property, an accessible hotel, et cetera, to those tenants with disabilities who rely on elevators to access their residencies if the elevator will be out-of-service, be it for maintenance or a malfunction, for 24 hours or longer. Such amenities to qualify as an alternative, accessible unit shall include roll-in showers or bath with bars next to the toilet, a low-rising bed, a unit or room wide enough for mobility device users / wheelchairs to access, and a unit or room with a functioning elevator or ground floor access without disregard for any of these amenities. In the event of an out-of-service elevator for a period over 24 hours, the landlord or owner must provide a two hundred dollars per night voucher to cover the cost of housing for tenants with disabilities / seniors who are affected in addition to a food voucher of up to two hundred dollars depending on the duration of the elevator outage.

FISCAL IMPACTS OF POSSIBLE FUTURE ACTION

Landlords and owners in the City of Berkeley are obligated to have liability insurance in the event of a person

suffering from an accident in the property among other reasons. If a tenant with a disability were to suffer from an accident in an apartment complex owned by a landlord that does not possess liability insurance, the City of Berkeley would have to intervene, costing the city money and resources of an amount that depends on the severity of the situation.

CONTACT PERSON

Dominika Bednarska, Disability Services Specialist,
Department of Public Works, (510) 981-6411

Attachments: [Delete if there are NO Attachments]

1: Resolution and/or Ordinance

 Exhibit A: [Title or Description of Exhibit]

 Exhibit B: [Title or Description of Exhibit]

2: [Title or Description of Attachment]

3: [Title or Description of Attachment]

Cronin, Lisa

From: Lopes, Bernadette
Sent: Wednesday, October 30, 2019 4:25 PM
To: Cronin, Lisa
Subject: FW: Shira's unsafe sidewalk experience Photos and notes

From: Bednarska, Dominika
Sent: Thursday, October 24, 2019 8:45 AM
To: Cronin, Lisa <lcronin@cityofberkeley.info>
Subject: FW: Shira's unsafe sidewalk experience Photos and notes

From: Shira Leeder [<mailto:shira@leeder.com>]
Sent: Tuesday, September 24, 2019 2:34 AM
To: Helen Walsh <branach@comcast.net>; Bednarska, Dominika <DBednarska@cityofberkeley.info>; Alex Ghenis <alex.ghenis@gmail.com>
Subject: Re: Shira's unsafe sidewalk experience Photos and notes

Hi all,

Below are descriptions with pictures and sidewalks pedestrian safety issues, Helen, thank you for all your help with this project and please pass this on to whoever needs this information feedback to your advisory board. Dominika, please put these in the agenda for October or November.

Thanks and feel free to edit anything if needs to be.

Best,
Shira

Photo 1: Rose and Henry streets pass the Safeway.

Side uneven tree roots causing cracks and uneven pavement making it unsafe for wheelchair users especially those with mobility equipments and seniors, it's like a roller coaster going down a deep grade drop.

Photo 2: 2 blocks away from Rose and Henry around apt 137 uneven side walk by tree. Side walk goes up then angles down very unsafe for wheelchair uses and those with mobility devices.

Photo 3: Up from last photo uneven sidewalk pavement unsafe for wheelchair and those with mobility devices and baby strollers.

Photo 4: by bus stop Berryman street uneven pavement unsafe for wheelchair, mobility devices and baby strollers to pass. The sidewalk needs to be repaved the entire block because the sidewalk is bumpy and dangerous and too narrow. I have to go in the streets where vehicles are and it is risky because of taking chances of being hit and killed.

Photo 5: Sutter and Amador streets by bus stop uneven pavement bump in front of curb cut making it unsafe to pass. I have to use bike lane against traffic or with traffic depending on where I am going especially going home when going toward Solano Avenue. That whole two or three blocks of that since from Shattuck and Rose going toward Sutter street needs to be repaved and put several stop signs or pedestrians safely signals.

Photo 6: No curb cut, drive way cracked sidewalk and street, gravel ditch my wheelchair has to go up or down. This is by the bus stop. The sidewalks are too narrow and at a down incline.

Photo 7: Using bike lane in opposite direction no other cross walks or ways to get to sidewalk. I have to ride in the streets / bike lanes if the sidewalks are too bumpy and hazardous and if there are tree roots issues or construction zones,

Photo 8: No curb cut from bike lane using only cross walk to cross street, no stop sign cars go fast and not stop especially at night time with no street lights and signal to walk in the crosswalk without risking of being hit and killed by vehicles passing by.

On Monday, September 23, 2019, 3:25:08 PM PDT, Helen Walsh <branach@comcast.net> wrote:

























Photo 1: Rose and Henry side uneven tree roots causing cracks and uneven pavement making it unsafe for wheelchair users.

Photo 2: 2 blocks away from Rose and Henry around apt 137 uneven side walk by tree. Side walk goes up then angles down very unsafe for wheelchair uses.

Photo 3: Up from last photo uneven sidewalk pavement unsafe for wheelchair.

Photo 4: by bus stop Berryman street uneven pavement unsafe for wheelchair to pass.

Photo 5: Sutter street by bus stop uneven pavement bump in front of curb cut making it unsafe to pass. I have to use bike lane against traffic or with traffic depending on where I am going.

Photo 6: No curb cut, drive way cracked sidewalk and street, gravel ditch my wheelchair has to go up or down. This is by bus stop.

Photo 7: using bike lane in opposite direction no other cross walks or ways to get to sidewalk.

Photo 8: no curb cut from bike lane using only cross walk to cross street. no stop sign cars go fast.

iSent from the Event Horizon