

City of Oakland

Mayor's Commission on Persons with Disabilities (MCPD)

Monday, August 20, 2018

5:30 p.m. – 7:30 p.m.

Sergeant Mark Dunakin Room, First Floor

One Frank H. Ogawa Plaza (City Hall), Oakland, CA 94612

Agenda

- I. Call to Order
- II. Roll Call
- III. Public Comments*
Any person may directly address the Commission on any items within the jurisdiction of this Commission. Speakers wishing to address a specific item on the agenda may do so at the time the item is being considered.
- IV. Agenda Modification and Approval
- V. Approval of July 16, 2018 Minutes (**Exhibit A**)
- VI. Chair Report; *Frank Sperling, Chair*
- VII. Commissioner's Announcements
- VIII. Staff Updates and Announcements; *Anh Nguyen, ADA Programs Division Manager; Hoang Banh, Acting ADA Programmatic Access Coordinator*
 - A. Video Remote Interpretation
 - B. Curb Ramps in Oakland Equity Indicators Report (**Exhibit B**)
 - C. ADA Self-Evaluation and Transition Plan Update

- IX. Downtown Oakland Specific Plan; *Joanna Winter, Planner, Strategic Planning Division, Oakland Planning and Building Department* (**Exhibit C**)
- X. Woodminster Amphitheatre ADA Improvements; *Lily Soohoo, Project Delivery Division, Oakland Public Works* (**Exhibit D**)
- XI. Senate Bill 1376 - Transportation Network Companies: Accessibility for Persons with Disabilities; *Commissioner Gregory* (**Exhibit E**)
- XII. Future Agenda Items
 - A. Objective 1.1: Accessibility in the Bike Share Program
 - B. Objective 1.2: Disabled Parking Spaces and Abuse of Disabled Parking Placards
 - C. Objective 1.3: Accessibility of Fixed-Route Transit Systems in Oakland
 - D. Objective 1.4: Reliability and Customer Service of Paratransit Systems in Oakland
 - E. Objective 1.5: Wheelchair Accessible Vehicles in the Taxi Program and Transportation Network Companies
 - F. Objective 1.6: Oakland's Complete Streets Program
 - G. Objective 2.1: Oakland Police Department Crisis Intervention Training (CIT)
 - H. Objective 2.2: Oakland Fire Department, Emergency Management Services Division Overview of Methods for Addressing Access and Functional Needs During an Emergency and Natural Disasters
 - I. Objective 3.1: Update on Community Outreach
 - J. Objective 4.1: ADA Transition Plan, including Curb Ramp and Sidewalk Repair
 - K. Objective 4.2: Equitable Prioritization of Measure KK

Funds for Public Infrastructure Improvements

- L. Objective 5.1: Measure KK Funds for Home Modifications to Enhance Accessibility
- M. Objective 5.2: Identify and Reduce Number of Homeless Persons with Disabilities in Oakland

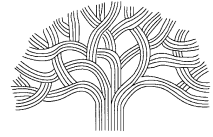
XIII. Adjournment

Note: The Commission May Take Action on Any Item on the Agenda

Public Comments: To offer public comments at this special meeting, please register with Hoang Banh, ADA Programs Division Analyst, before the start of the MCPD meeting at 5:15 p.m. Please note that the MCPD will not provide a detailed response to your comments but may schedule your issue for a future meeting. The MCPD Public Comment period is limited to 15 minutes and each individual speaker is limited to 5 minutes. If more than 3 public speakers register, however, then each speaker will be limited to 3 minutes. If more than 5 public speakers register, then each speaker will be limited to 2 minutes. Exceptions to these rules may be granted at the discretion of the Chairperson.



This meeting is wheelchair accessible. To request ASL interpreting, materials in alternative formats, captioning or assistive listening device, or any other disability related accommodation, please email adaprograms@oaklandnet.com or call (510) 238-5219 (V) or 711 (California Relay Service) at least five (5) business days before the meeting. Please refrain from wearing scented products to this meeting so persons who may experience chemical sensitivities can attend. Thank you.



City of Oakland
Mayor's Commission on Persons with Disabilities (MCPD)
Monday, July 16, 2018

Draft Minutes

- I. Call to Order at 5:44 p.m.
- II. Roll Call
 - 6 Commissioners present: Garner, Gregory, Harrington, Meshack, Sperling, van Docto
- III. Public Comments
 - Helen Walsh urged that Bike and Scooter Share Programs as well as Lyft, Uber, and other mobility programs provide inclusive options for commuting and recreation.
 - Chair Sperling stated that he and Commissioner Gregory are on the Metropolitan Transportation Commission (MTC) Technical Advisory Committee (TAC) for Bike Share advocating for accessible bikes in the program. The current plan is to start a pilot with accessible bikes in late summer at Lake Merritt.
- IV. Agenda Modification and Approval
 - Motion to approve Agenda: Harrington
Seconded by Gregory
Aye: 6 - Garner, Gregory, Harrington, Meshack, Sperling, van Docto
Motion passed.
- V. Approval of June 18, 2018 Minutes
 - Motion to approve Agenda: Garner

Seconded by van Docto

Aye: 6 - Garner, Gregory, Harrington, Meshack, Sperling, van Docto

Motion passed.

VI. Chair Report; *Frank Sperling, Chair*

- Chair Sperling introduced Mayor Schaaf at the recent Aphasia Center of California's Walk the Talk event.
- He also asked ADA Programs staff to expedite filling MCPD vacancies.

VII. Commissioner's Announcements

- Commissioner Garner will speak at the Disability Summit at Allen Temple Baptist Church in August. Also, she introduced herself to Sgt. Ray Kelly at Alameda County Sheriff's Department.
- Commissioner Gregory stated that the California State Auditor's Office found that the Department of Rehabilitation grants program mismanaged \$17 to \$18 million dollars.

VIII. Staff Updates and Announcements; *Anh Nguyen, ADA Programs Division Manager*

A. Disabled Parking Placard Sting

- Mr. Nguyen shared that ADA Programs Division has received supportive comments from the public in regards to Oakland Department of Transportation (OakDOT) reviving disabled parking placard stings.

B. Woodminster Amphitheatre

- Work that started several years ago to improve access at Woodminster Amphitheatre, including

accessible parking, seating, and restrooms, are now complete.

C. City Center West Garage Lawsuit

- While specifics cannot be shared at this time, ADA Programs Division is working with OakDOT and other City staff to address complaints in the lawsuit. The garage is located at 12th and Jefferson Streets.

D. ADA Anniversary

- Mr. Nguyen stated that the Bay Area sparked the Disability Rights Movement that led to the signing of the ADA in July 1990. The City is committed to improving access with the updated Citywide Access Policy, Administrative Instruction 123. He then requested a break to celebrate with cupcakes and refreshments in the adjacent room.
- Commissioner Gregory stated that during ADA 26th anniversary, Mayor Schaaf wrote a letter at the request of MCPD urging the U.S. Senate to send the Convention for the Rights of People with Disabilities to the Senate Floor for a vote. Since the Senate did not do so, Commissioner Gregory suggested that MCPD ask Mayor Schaaf to send a follow up letter.
- Chair Sperling called for a brief recess to celebrate ADA 28th anniversary.

IX. Mid-Year Strategic Plan Review; Chair Sperling

- Commissioners provided brief updates to the objectives they are monitoring. The updated Strategic Plan will be made available on the MCPD website:

<https://tinyurl.com/mcpd-oakland>

X. Oakland Department of Transportation (OakDOT) Shared Mobility Update and Dockless Bike and Scooter Share Policy

to City Council Public Works Committee; *Chair Sperling*

- Chair Sperling suggested an accessibility fee for the proposed Scooter Share program.
- Commissioner Meshack raised concerns about scooters lacking horns and speeding on sidewalks bumping into people. Some scooter users ride so fast that some people must jump out of the way. Also, scooters are supposed to use bike lanes rather than the sidewalk. However, there is lack of enforcement.
- Commissioner Gregory stated that there is a clear nexus for a fee to cover the cost of enforcement. Dockless scooters are left everywhere, including blocking curb ramps, and creating safety hazards.
- Commissioner van Docto supports an accessibility fee to encourage companies to innovate and be inclusive.
- Marjorie stated that she has a fatiguing illness. However, since she is ambulatory, Medicare will not cover a motorized vehicle. A scooter would open up her world and allow her to go to festivals and other events. She noted that Travel Scoot makes a lightweight (35 pounds), lean, narrow, efficient vehicle. Scooter Share might be able to subsidize the purchase of such a vehicle. She also suggested it being available to rent from a tool lending library.
- Helen Walsh suggested the fee go into a whole system to innovate and be more inclusive. In the event that companies do not create an inclusive scooter, the fee could fund other modes of accessible transportation.
- Mitch Fine stated that there was a City of Oakland report on ADA access and sidewalks in 2008 or 2009. The report found that about seven million square feet of sidewalk in Oakland was damaged. Thirty-three percent of

sidewalks were defined as high or very high damage. About fifty thousand instances were documented of ADA errors in the sidewalks. The cost to fix was estimated at \$100 million. He stated support for an accessibility fee because motorized scooters have been dumped on streets and sidewalks without permission and block ADA access. He spoke with representatives of Oakland Police Department (OPD) and Lime Scooter about enforcement of scooters on sidewalks and minors on motorized scooters. Lime stated enforcement is the responsibility of OPD, but OPD stated they do not have the resources to enforce. Furthermore, as a senior, he does not have time to jump out of the way of people riding scooters on the sidewalk. Thus, his greatest concern is Scooter Share denying accessibility by impeding current public right of way. He wants the proposed ordinance to be tabled to discuss the issue more intelligently rather than go at the speedy timeline of Lime, Bird, and other companies dumping scooters in Oakland.

- Josh Gray, Senior Advisor to Council Member Kaplan, stated that their office has met with staff concerning accessibility on another issue and understand the concern of creating accessibility as well as ensuring safety. He encouraged the public to speak at Public Works Committee as well as contact him at jgray2@oaklandca.gov.
- Aaron Clefton echoed the concern of scooters left on sidewalks blocking access to ramps. In terms of a fee, consider empowering Parking Enforcement to fine perspective companies to have them monitor their own vehicles.
- Commissioner Meshack suggested imposing a fee to the last user of a bike or scooter not put away properly and blocking ADA access.

- Motion to approve Chair Sperling sharing concerns raised at MCPD meeting with City Council Public Works Committee on July 17: Harrington
Seconded by van Docto
Aye: 6 - Garner, Gregory, Harrington, Meshack, Sperling, van Docto
Motion passed.

XI. Senate Bill 1376 - Transportation Network Companies: Accessibility for Persons with Disabilities; *Commissioner Gregory*

- Commissioner Gregory updated that the accessibility fee is proposed to be a minimum of five cents per ride. It is meant to sunset in 2024 or 2025. The fee will be a tax and requires a two-thirds supermajority to pass.
- Details of the bill continue to change, including county by county pots of money now area by area, to be determined by the Public Utilities Commission. A finalized draft should be available in August, and MCPD can discuss endorsing the bill then.

XII. Biannual Paving Update; *Chris Diano, Civil Engineer, Paving and Sidewalk Management, Great Streets Division, Oakland Department of Transportation (OakDOT)*

- Mr. Diano stated that City of Oakland maintains 830 miles of roads and 1,100 miles of sidewalks. Resurfacing is primarily through a contract bidding process. They also work on a cost-sharing basis with utility companies. Additionally, there are in-house crews that can do paving.
- Mr. Diano mentioned the Five-Year Paving Plan adopted by City Council in October 2014 based on pavement condition index (PCI), travel volume based on function of the street, such as arterial or residential, and type of treatment. That program, called Street Saver, aims to

optimize the City budget and takes about 80 percent of their paving budget. Twenty percent of the paving budget is for the worst streets that staff identifies, including streets ripped up by utility companies.

- Measure KK passed in November 2016 and provides \$600 million in infrastructure projects and affordable housing. \$350 million of that funding goes to infrastructure projects, which includes paving. The goal now is to pave as many streets as possible by 2019. During the 2018 Summer of Paving (map available on City of Oakland website), OakDOT is paving 25 miles of streets selected from the Five-Year Paving Plan. They are also required to upgrade ADA curb ramps to federal standards in the area they are paving.
- Also, where there are Complete Streets Projects, OakDOT is replacing old crosswalks with high visibility crosswalks as a visual cue for drivers in order to slow down traffic and improve pedestrian safety. Traffic circles are another way to slow down cars at certain intersections. OakDOT is also implementing painted bulb outs. A good example is at 23rd St. and Harrison to reduce pedestrian crossing distance. Paving projects also include installing bike lanes, including buffered bike lanes.
- After 2019, there will be a brand new Five-Year Paving Plan. A consultant is surveying the streets and getting pavement conditions for all streets in Oakland. An equity lens is being added in order to pave more streets in areas that were historically not looked at before.
- Commissioner Gregory inquired how paving crews get around homeless issue when they pave certain areas. Mr. Diano stated that they work with contractors and City staff to address it ahead of time, including making accommodations for homeless individuals.

- Chair Sperling inquired whether Measure KK will help mitigate the sidewalk damage from the 2008 study mentioned by a public speaker earlier. Mr. Diano stated that OakDOT will address sidewalks damaged by City trees. When doing paving projects, staff survey the sidewalk and see which sidewalk areas need to be repaired that are caused by city facilities as well as non-city facilities, which are the responsibility of the property owner.
- Chair Sperling inquired about replacing existing curb ramps that do not meet ADA requirements. Mr. Diano stated that those get replaced.
- Chair Sperling inquired about the current rating of City of Oakland streets. Mr. Diano responded that the Oakland PCI rating is currently 55 (a three-year average). The regional average is above 60.
- Chair Sperling inquired about the goal for the PCI in the Five-Year Paving Program. Mr. Diano stated the goal is to pave as many streets as possible rather than trying to achieve a PCI goal. Arterial streets are prioritized. That is why in the Oakland Hills, the roads are falling apart but for a different reason.
- Commissioner Meshack stated that he has been getting conflicting information about responsibility for sidewalk repair. Several officials he has called claimed that the area in between the sidewalk and the street was taken by eminent domain and the trees were given back to the residents, who are then responsibility for tree-related sidewalk damage. Mr. Diano responded that staff does their due diligence to determine who owns the tree. If it is City-owned, then they put that sidewalk damage on a list for repair. If the tree is owned by the property owner, then they would be responsible. Mr. Meshack will follow up with Mr. Diano.

XIII. Future Agenda Items

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- L. Objective 5.1: Measure KK Funds for Home Modifications to Enhance Accessibility
- M. Objective 5.2: Identify and Reduce Number of Homeless Persons with Disabilities in Oakland

XIV. Adjourned at 7:36 p.m.

EXHIBIT A.1 for Attachment to Minutes of Event Date
City of Oakland Mayor's Commission on Persons with Disabilities
Meeting for July 16, 2018

COMMISSIONERS ROLL CALL

Quorum Established: <u>Y</u> Number Voting Members Present: <u>6</u>	Present	Excused Late	Arrive Late	Leave Early	Absent	Excused	Non-voting status
Chairperson Frank Sperling	X						
Co-Vice Chair Sarah Garner	X						
Co-Vice Chair Brian Harrington	X		6:10 p.m.				
COMMISSIONERS							
Caleb van Docto	X						
Brandon Young					X		
Thomas Gregory	X						
Daryl Meshack	X						
Karina Ryan					X	X	
Vacant							
Vacant							
Vacant							
Staff: Anh Nguyen, ADA Programs Manager Hoang Banh, Acting ADA Programmatic Access Coordinator							
Interpreters: none							

EXHIBIT A.2 for Attachment to Minutes of Event Date

SIGN IN SHEET

Mayor's Commission on Persons with Disabilities

Monday, July 16, 2018

Name	Agency	Email	Phone	Address	Subscribe to MCPD Notices (Y/N)
Helen Walsh,		diversedisabilitymedia@comcast.net			
Arnold Brillinger					
Aaron Clefton, Rein and Clefton, Attorneys at Law,		aclefton@reincleftonlaw.com		510-832-5001, 200 Lakeside Drive, Suite A, Oakland, CA 94612, Y	
Sheraden Nicholau,		Sheraden.nicholau@scdd.ca.gov		510-725-1820, Y	
Andy Campbell, Oakland Bicycle Pedestrian Advisory Commission (BPAC),		andygc1x@gmail.com			
Lara Holtan, Council Member Kaplan's Office,		lholtan@oaklandca.gov			
Alecia Dinkins,		aledinks@gmail.com			

Kerry Ray, Arc of Alameda County, kerryray@arcalameda.org, 510-932-3132

Chris Diano, City of Oakland, Department of Transportation (OakDOT),
cdiano@oaklandca.gov, 510-238-7266

Sarah Fine, OakDOT, sfine@oaklandca.gov, 510-238-6241, Y

Lester G. Meu, lmeu@geomeu.com, Y

Noah Smith, noahoregon@yahoo.com, 510-369-9903, Y

Antoinette Deyi, City of Oakland (retired), antoinettedeyi@icloud.com, Y

Josh Gray, Council Member Kaplan's Office, jgray2@oaklandca.gov

Mitch Fine, mitchfine@hotmail.com

Neighborhood and Civic Life: Transportation and Infrastructure - Curb Ramps

Percent of curbs citywide that are not ADA accessible

Score: 49

Percent: 51.6%

What is measured?

This Indicator measures the percent of curbs with curb ramps that are not modern, indicating that they are non-compliant. Modern curb ramps should have all the proper elements: low slope and cross-slope, adequate width, level top and bottom landings, a detectable warning surface, and they should be directional and clear of obstructions in the curb ramp area. This is a citywide Indicator that measures conditions for individuals with physical disabilities and limited mobility.

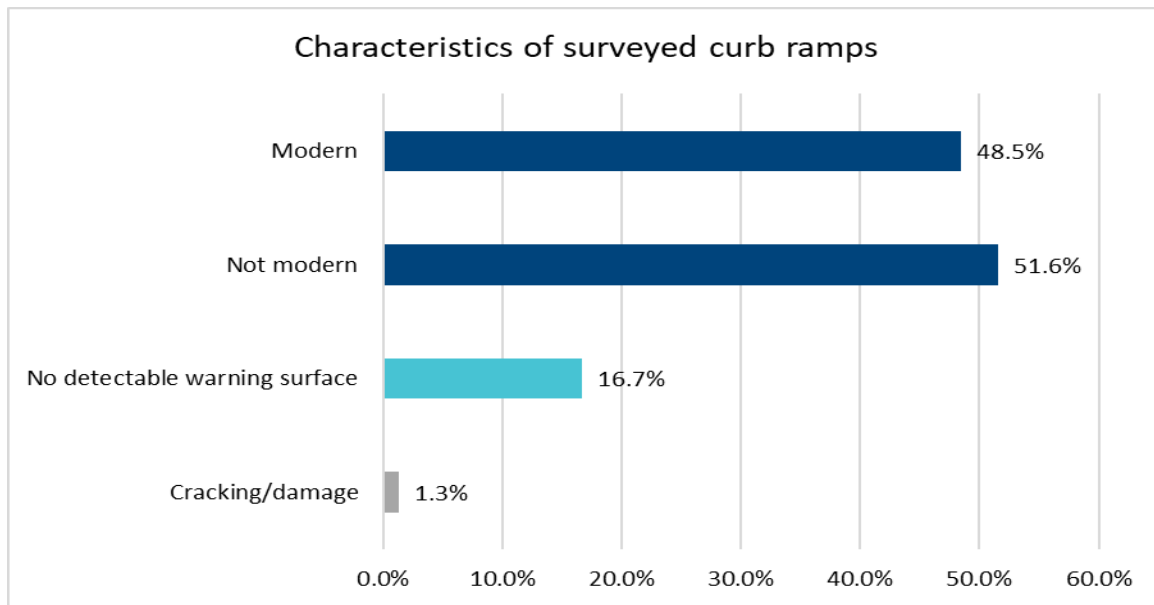
Why is this important?

Curb ramps are necessary for individuals with physical disabilities to fully access sidewalks and streets. Curb ramps are also important for individuals with strollers or carts, as well as seniors and others with limited mobility. Curb ramp accessibility is an issue throughout Oakland, so we decided to measure this Indicator citywide

What did we find?

More than half of all curbs assessed in Oakland (51.6%) were not modern. Of the total curbs, 16.7% lacked a detectable warning surface (truncated domes), and 1.3% had cracking or damage.

Data:



Source: Oakland Curb Ramp Inventory Dashboard, 2017,

http://s3.amazonaws.com/oakbec/Dev/CurbrampInventoryDashboard_testCopy.html



Downtown Oakland Specific Plan (DOSP) Accessibility Survey Results

April-May 2018

103

Total Responses

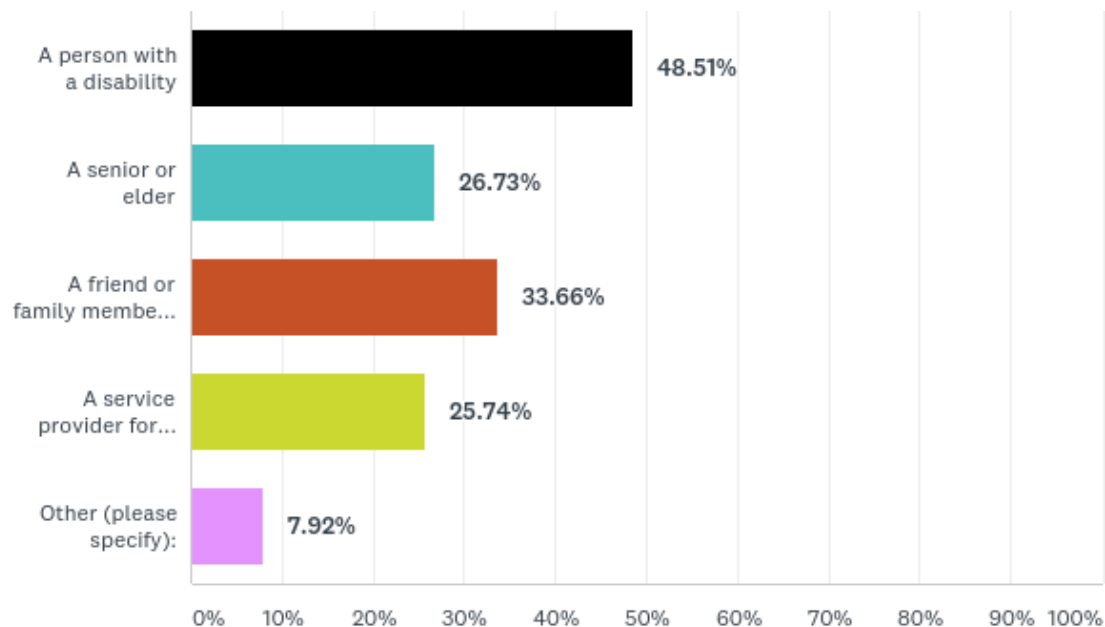
Date Created: Tuesday, April

24, 2018 Complete

Responses: 84

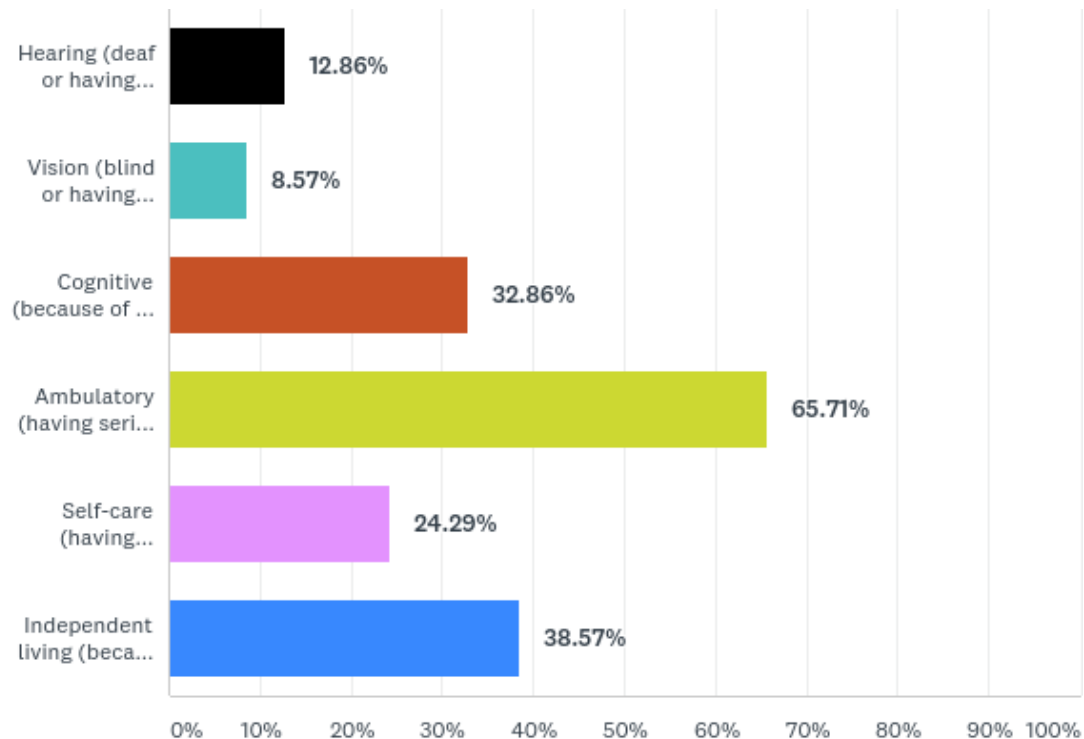
Q1: I am: (check all that apply)

Answered: 101 Skipped: 2



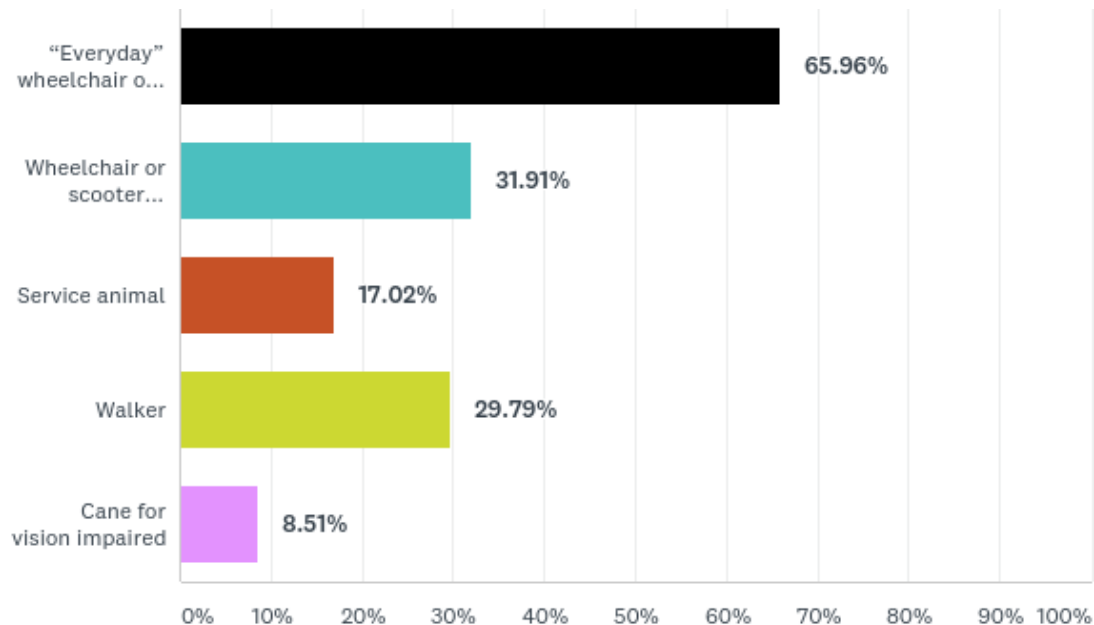
Q2: I have a disability that affects me in the following way(s): (check all that apply)

Answered: 70 Skipped: 33



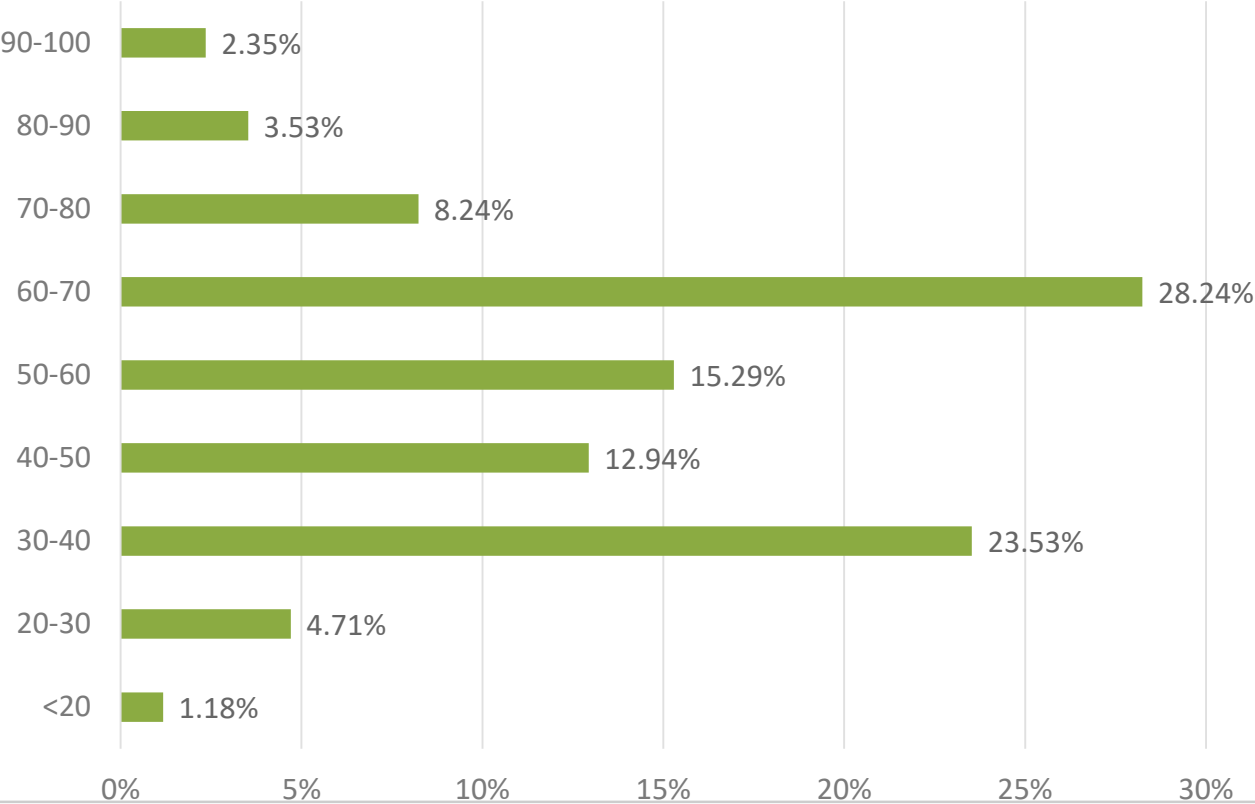
Q3: I travel with the following: (check all that apply)

Answered: 47 Skipped: 56



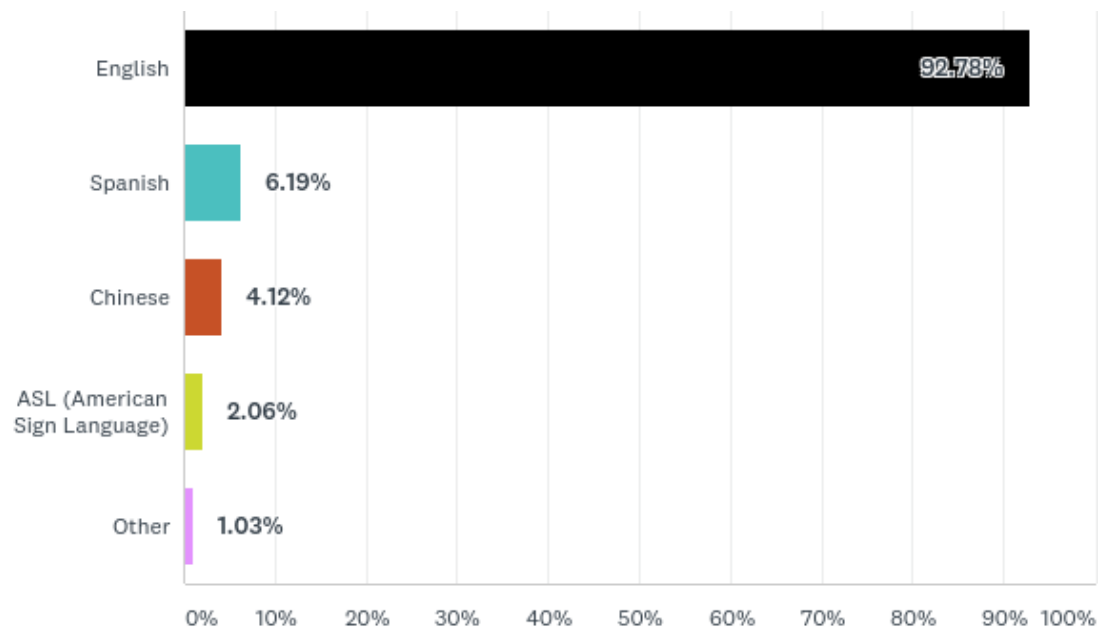
Q4: My age is:

Answered: 94 Skipped: 9



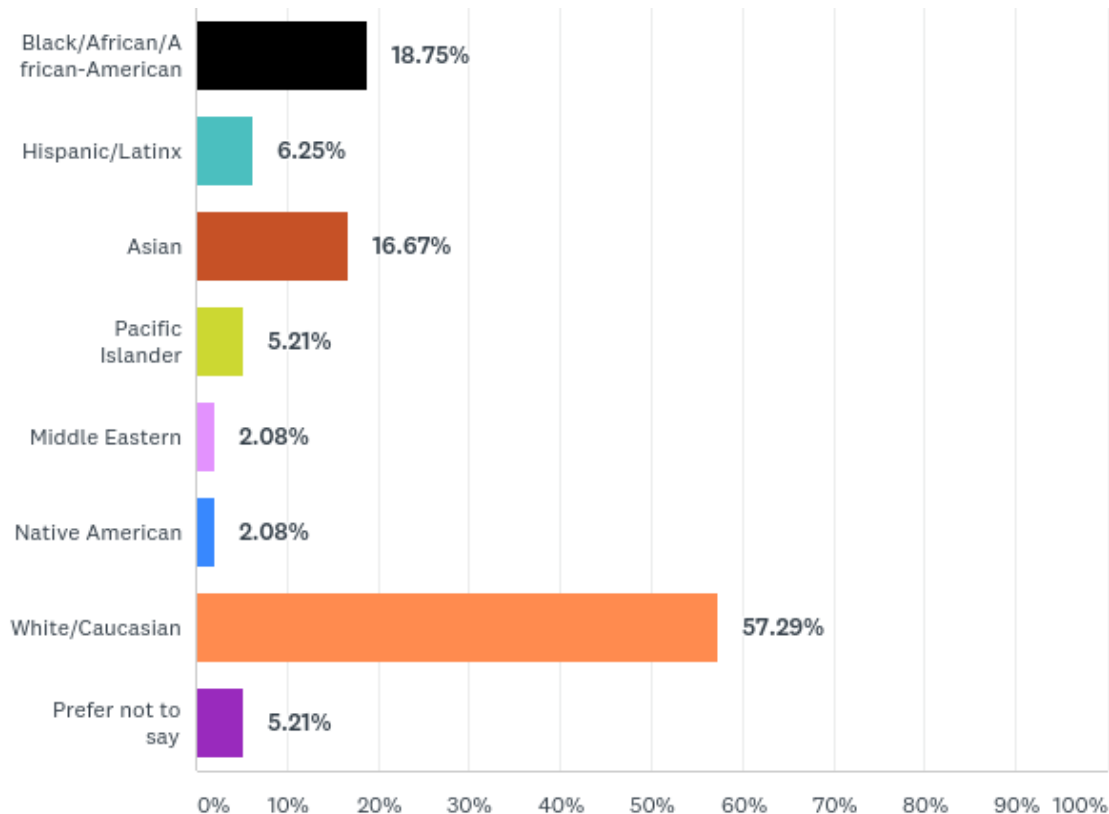
Q5: My primary language is:

Answered: 97 Skipped: 6



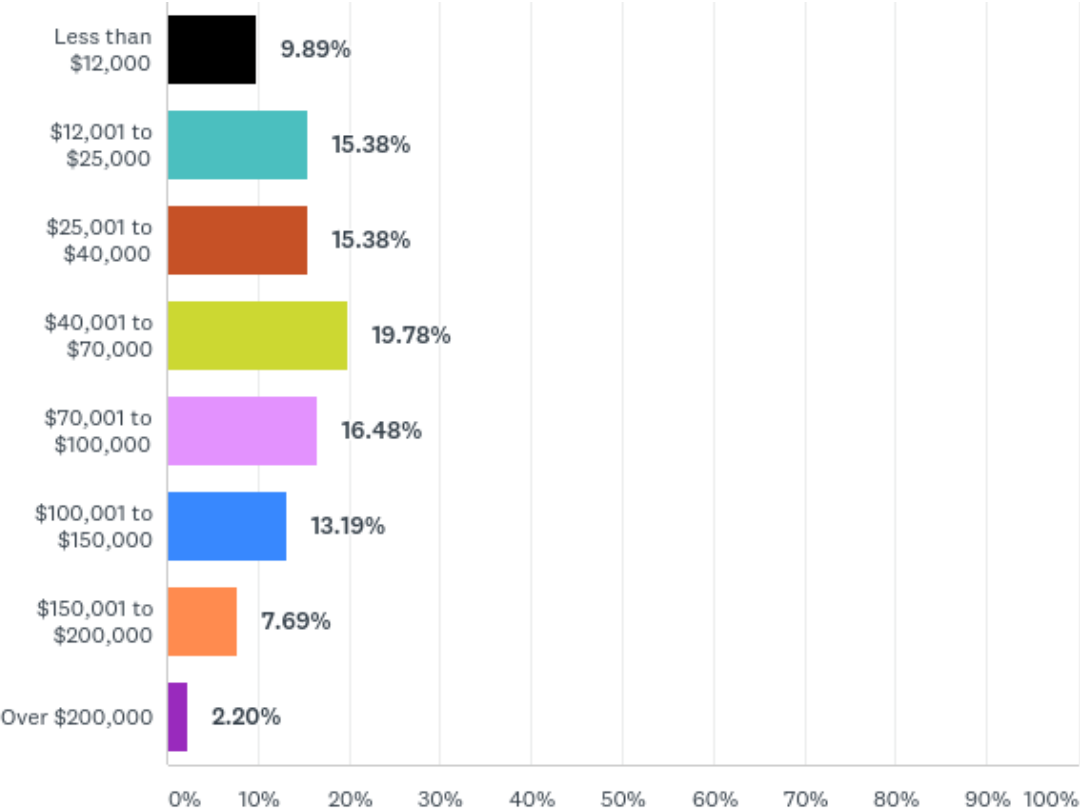
Q6: I identify as:

Answered: 96 Skipped: 7



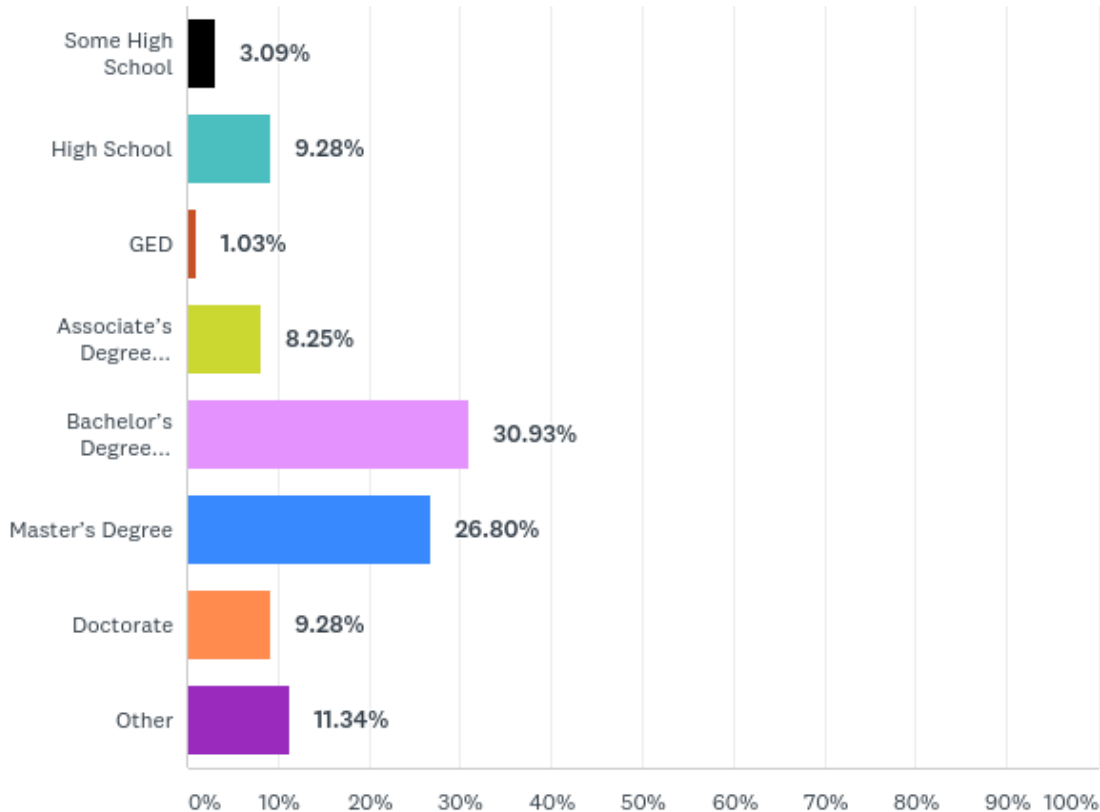
Q7: My household's annual income is:

Answered: 91 Skipped: 12



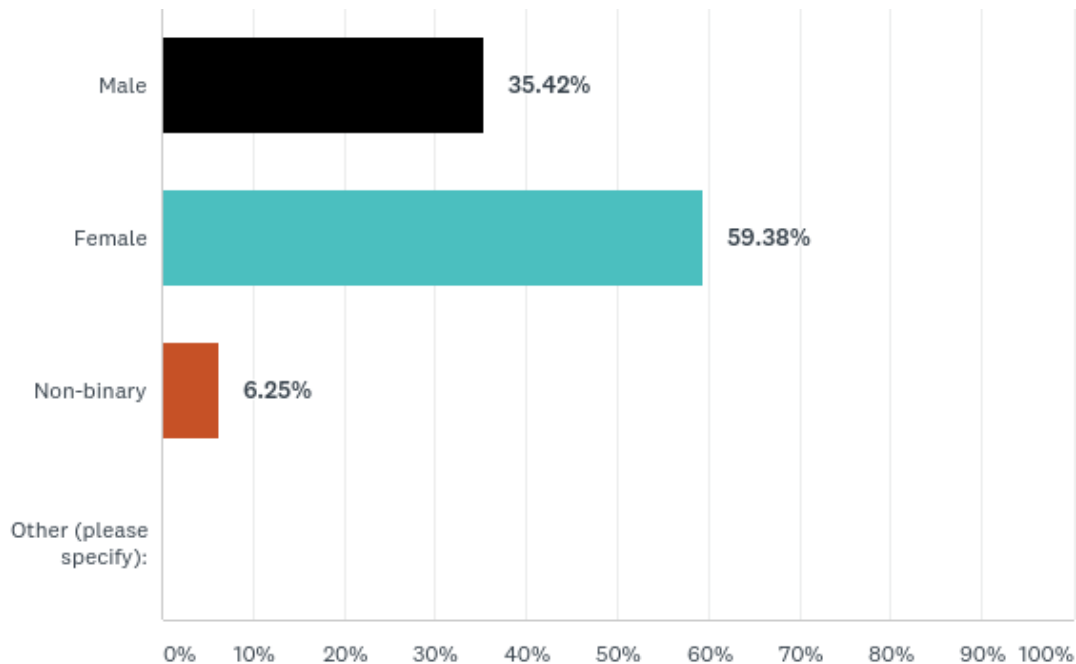
Q8: My education level is:

Answered: 97 Skipped: 6



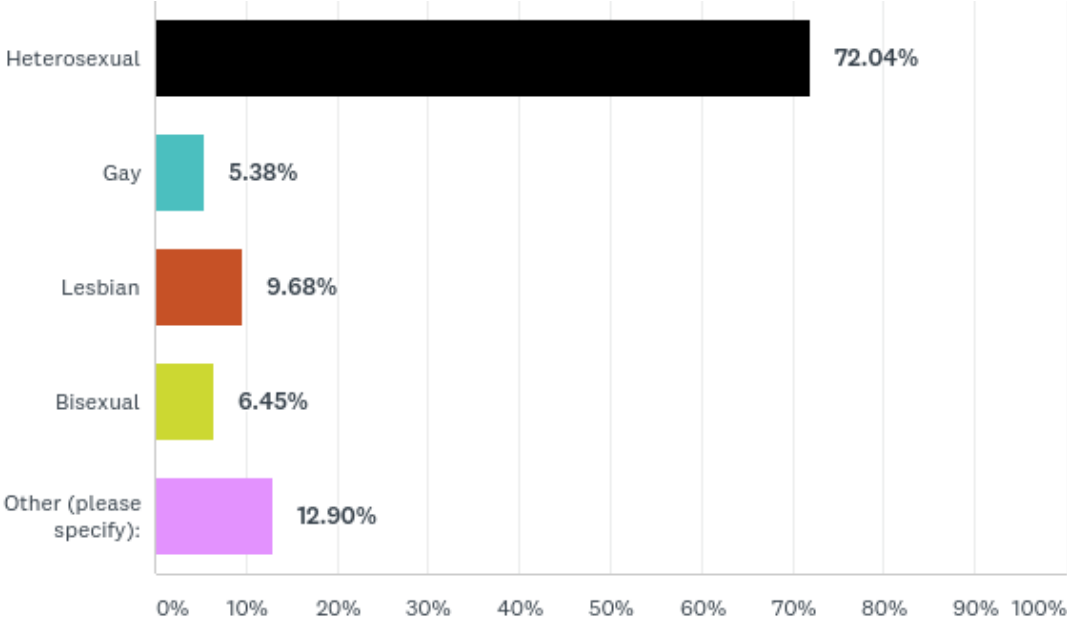
Q9: I identify as: (check all that apply)

Answered: 96 Skipped: 7



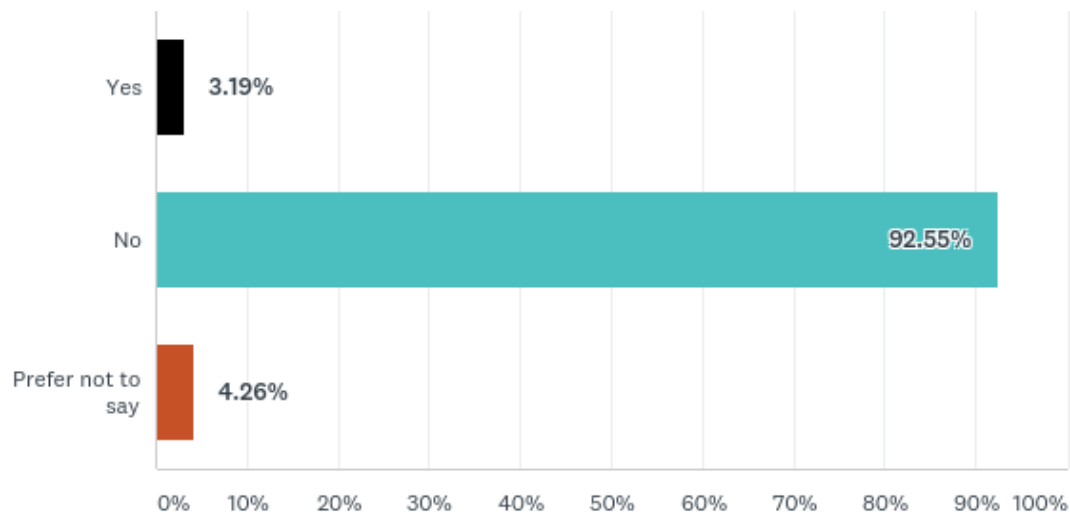
Q10: My sexual orientation is: (check all that apply)

Answered: 93 Skipped: 10



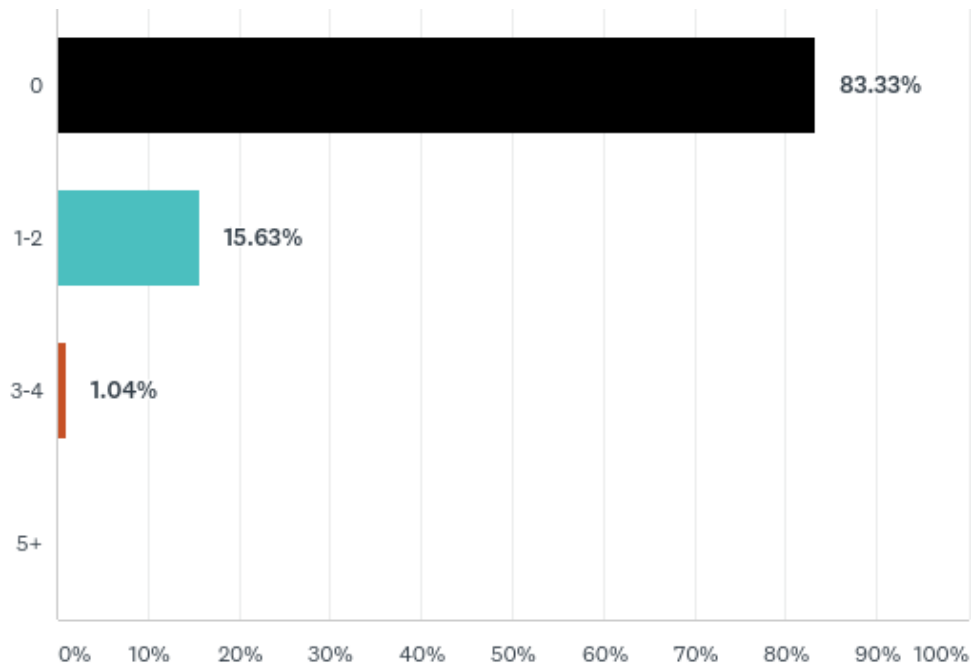
Q11: Do you describe yourself as transgender?

Answered: 94 Skipped: 9



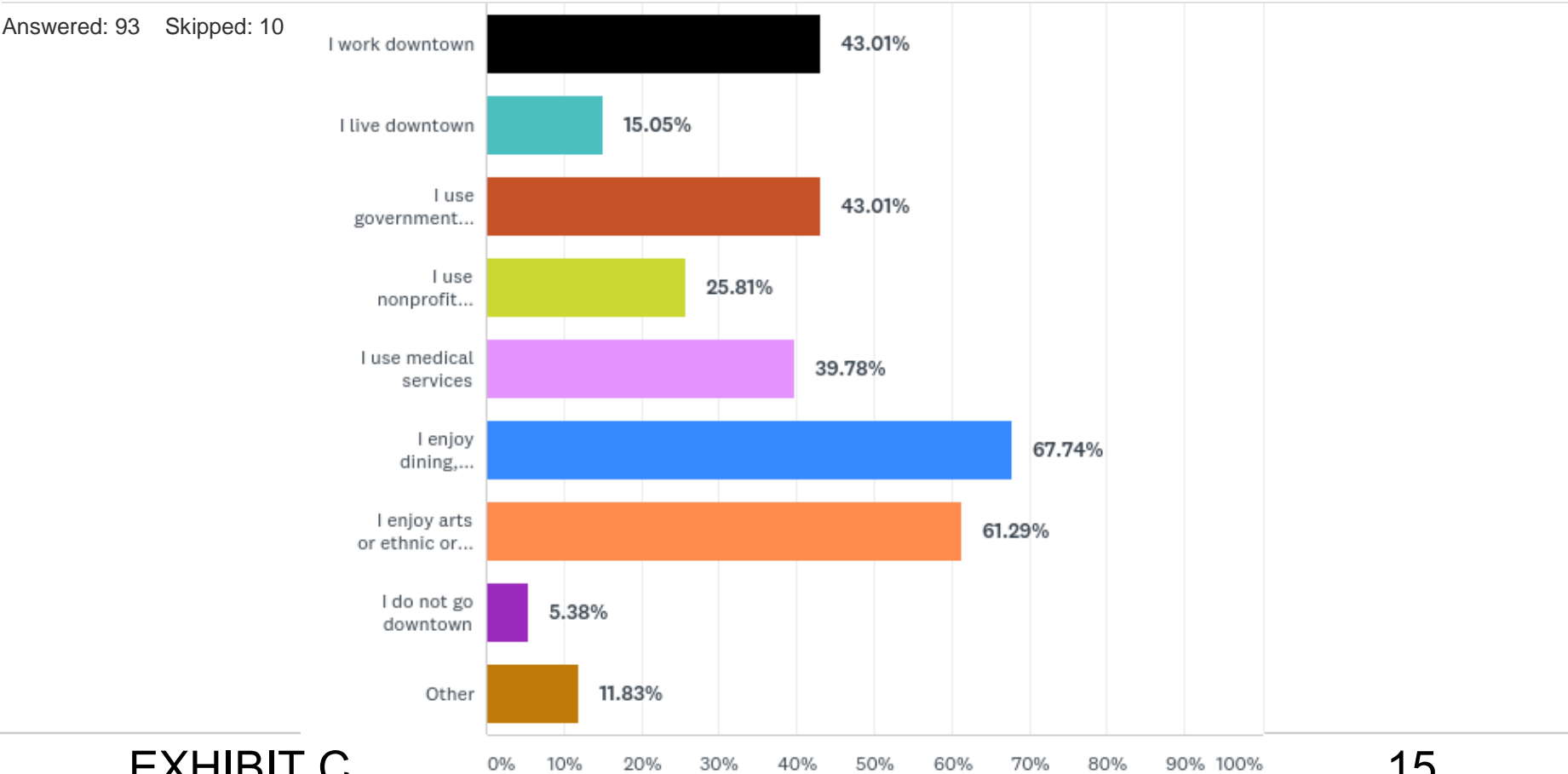
Q12: How many children under age 18 are in your household?

Answered: 96 Skipped: 7



Q13: What do you do in downtown Oakland?

Answered: 93 Skipped: 10

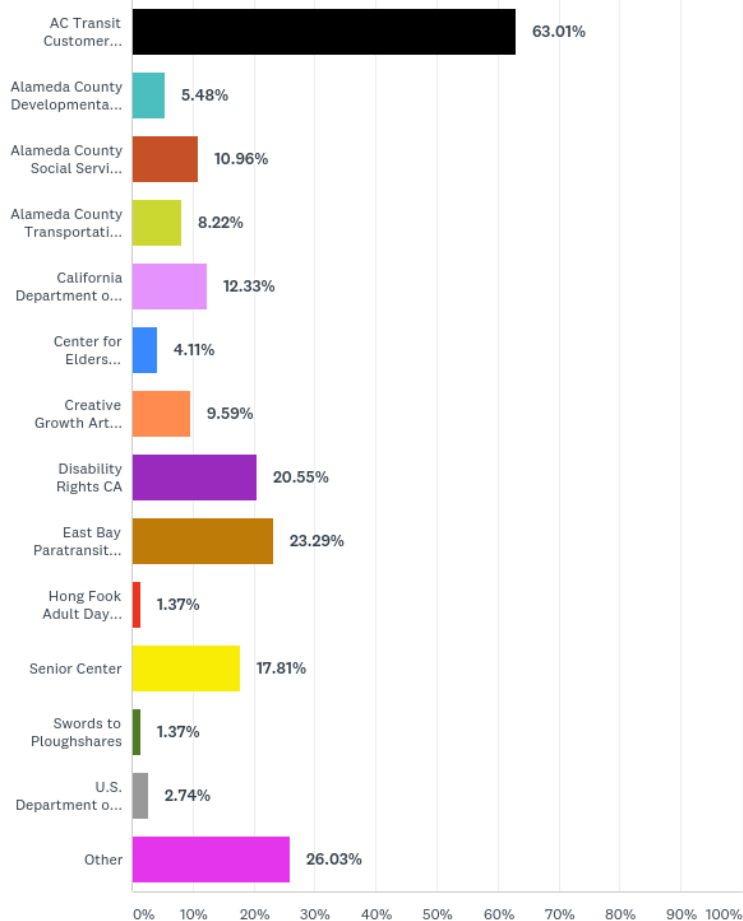


Q13: If you do not go downtown, why not?

- Threat of robbery
- Crime
- Need assistance to walk and travel and need benches to rest
- Unavailability of transportation
- Nothing there worth seeing or doing. No clothing stores and cost too much to go downtown.
- Occasionally. Based on transportation
- I don't have any personal business in the downtown area nor do I dine, shop or entertainment for myself or my family
- Mobility

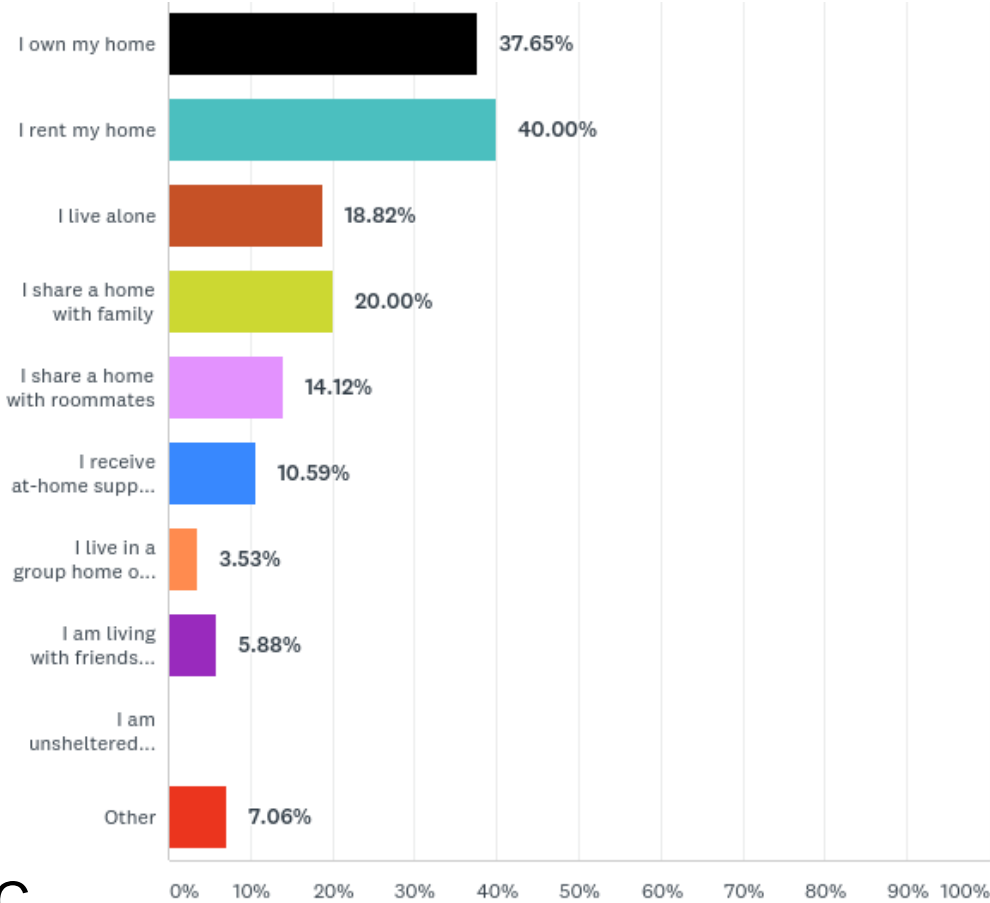
Q15: What disability- or senior-specific services do you use downtown?

Answered: 73 Skipped: 30



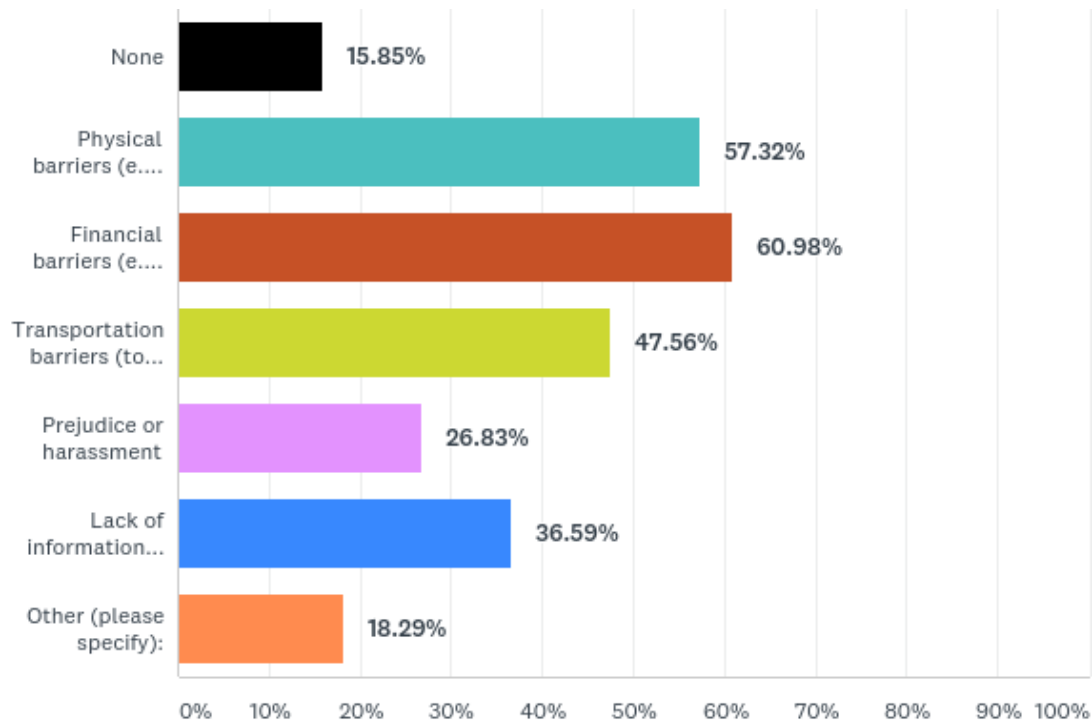
Q16: Please describe your living situation

Answered: 85 Skipped: 18



Q17: What challenges have you or others with disabilities or aging-related challenges encountered to accessing housing? (check all that apply)

Answered: 82 Skipped: 21



Q17: What challenges have you or others with disabilities or aging-related challenges encountered to accessing housing? (check all that apply)

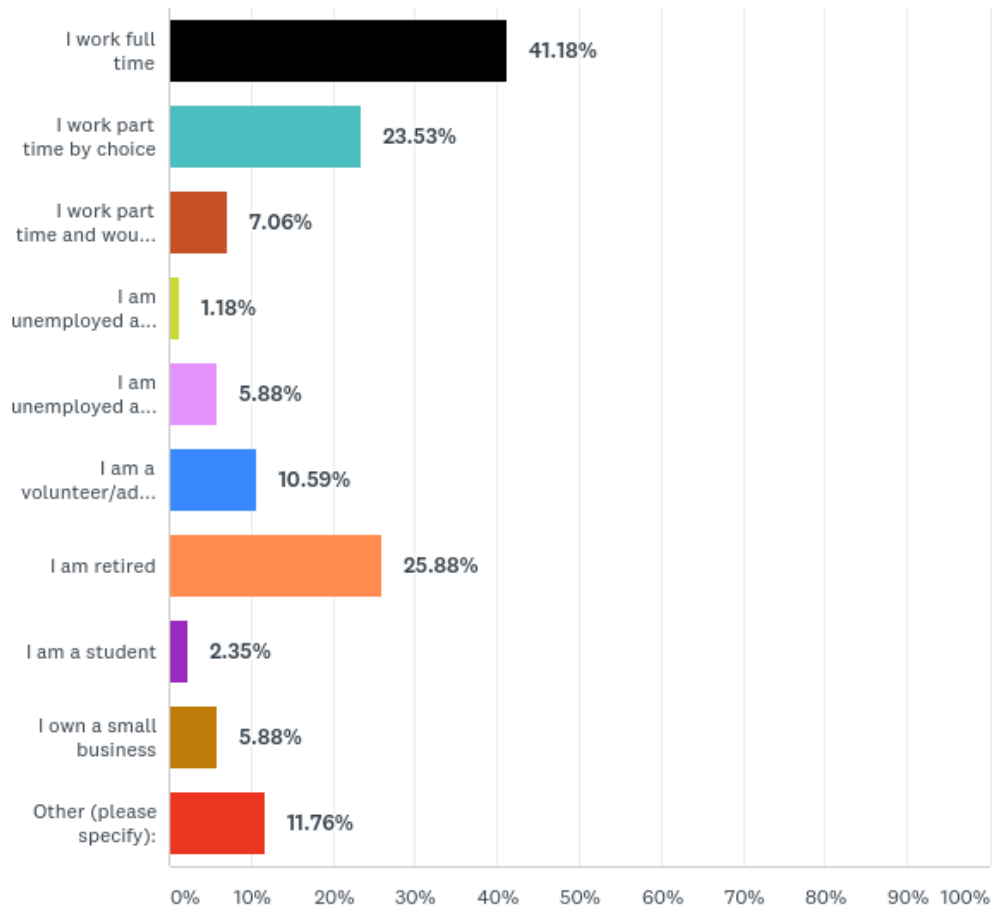
Answered: 82 Skipped: 21

Other

- Landlords seem to want only working tenants and younger at that. They prefer people coming in from S.F and Silicon Valley who can afford the pay the higher raised rents with a smile.
- \$, more programs to help people \$\$ more, low income housing, vacant properties put lo income there 5,000 empty/vacant lots
- Affordability
- Shelters for several years- not old enough for Sr. Housing. Horrid Staff in shelters-treated like a criminal for just being homeless: Harrison House- Berk. Dwight Way.-Berk. Constant Torment from very troubled residents. Being in constant survival-mode taxed me emotionally. Daily harassment
- There is no rent-controlled wheelchair accessible housing.
- Because of federal government guidelines cannot get clue curb in front of my bldg
- Sidewalks in Fruitvale are perilous for wheelchairs. I work with a man living in a nursing home & these sidewalks really discourage visiting family members & friends. Oakland would even get more business if people could get around there.
- Crime-mugging, abuse, robbery, assault. I have family members whom were victims of these crime incidents.
- Traditional house is not wheelchair accessible, especially bathrooms
- If I were buying or even renting, I could likely not afford a place large enough for my family in a safe and legal unit.
- Limited accessible parking
- Not enough affordable housing available
- Child still at home
- The definition for service animals is too narrow and limits my ability to rent a place.

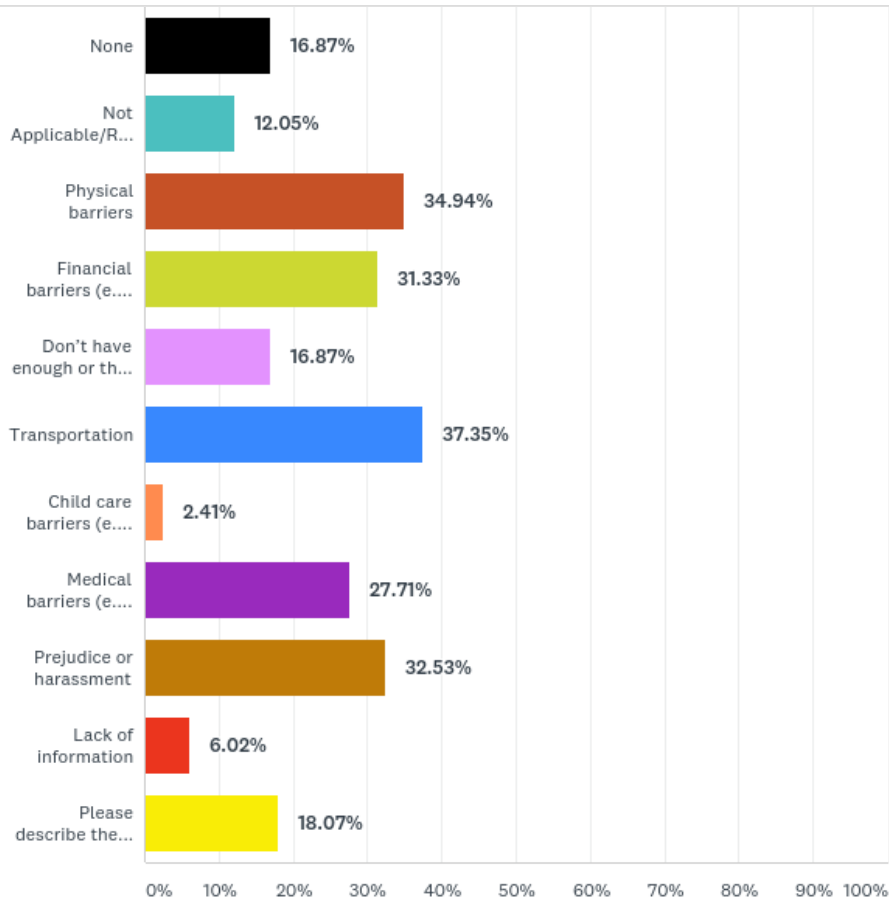
Q18: Are you employed? (check all that apply)

Answered: 85 Skipped: 18



Q19: What challenges have you or others with disabilities or aging-related challenges encountered to getting or keeping a job or running a business? (check all that apply)

Answered: 83 Skipped: 20



Q19: What challenges have you or others with disabilities or aging-related challenges encountered to getting or keeping a job or running a business? (check all that apply)

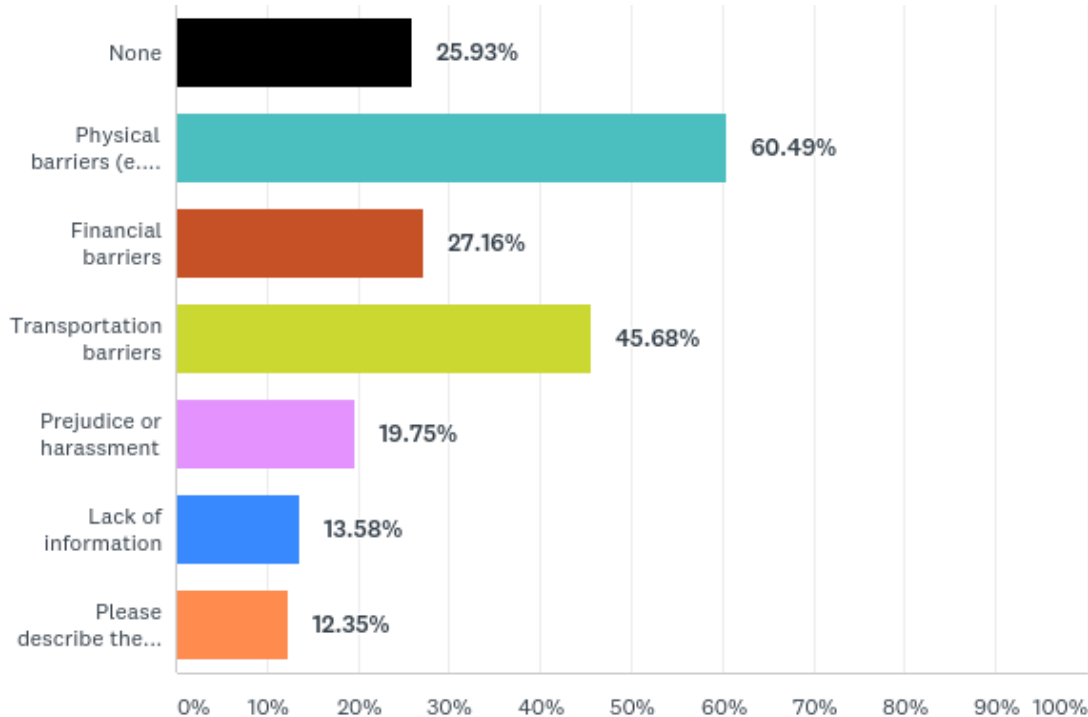
Answered: 83 Skipped: 20

Please describe the challenges faced

- Even though businesses can't age-discriminate, well, they do... Big gaps in resume due to simply not getting work and several years homelessness. I believe that when I do apply for work, cause of my age, I get no bites. Gaps in resume greatly hurts, as well.
- Harassment
- Federal and state benefit rules, fear of losing essential services
- Lack of reasonable accommodation
- Lack of accessible on-street parking
- Until getting a half time permanent job outside of Oakland, I faced extreme expenses of health care premiums. I worked as part time temporary for Oakland Public Library for 7 to 8 years and did not succeed in getting full time work there. I am older than most of the candidates.
- I do not drive. This makes it harder.
- Have to use sick leave without pay most pay periods due to appointments and sick time out
- If I were to lose my job I might not be able to get another because of age discrimination.
- Limited Accesible parking
- Elevators are not timed to allow individuals with physical disabilities to enter and exit. Office and bathroom doors are not accessible to individuals with physical disabilities.
- Impossible to retire do to high cost of health insurance
- As an artist I needed somebody to set up a booth at fairs, finally found an organization in Marin!
- That's only myself.
- Been fired for not meeting standards. Sometimes they just don't hire you again.

Q20: What challenges have you or others with disabilities or aging-related challenges encountered to accessing businesses (restaurants, services, etc.)? (check all that apply)

Answered: 81 Skipped: 22



Q20: What challenges have you or others with disabilities or aging-related challenges encountered to accessing businesses (restaurants, services, etc.)? (check all that apply)

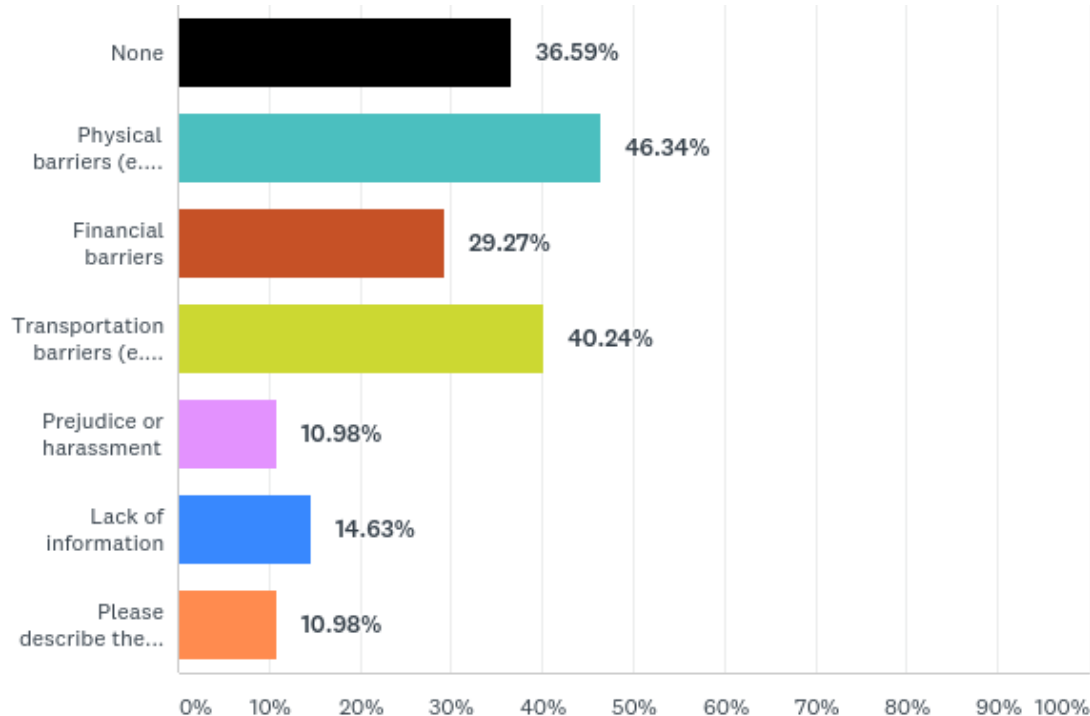
Answered: 81 Skipped: 22

Please describe the challenges faced

- Lack of accessible on-street parking; restroom are not accessible or blocked with storage items
- Either transportation or parking
- Prejudice. Especially getting 'overlooked' when it comes to getting seating in restaurants
- Hard to navigate to a business. I like Fruitvale; I buy things there. But it's sidewalks afterpart by the BART are awful.
- Lack of benches/rest stops except at bus stops
- Lack of parking close to destination
- Limited Accessible parking
- See comments above re: elevator timing and accessibility of restrooms/offices/entrances.
- Will need to work until age 75 , need health insurance for my family
- Many restaurants do not have designated disable sitting space and counters are too high.

Q21: What challenges have you or others with disabilities or aging-related challenges encountered to creating and expressing art (visual, performing, etc.), or participating in art-related business? (check all that apply)

Answered: 82 Skipped: 21



Q21: What challenges have you or others with disabilities or aging-related challenges encountered to creating and expressing art (visual, performing, etc.), or participating in art-related business? (check all that apply)

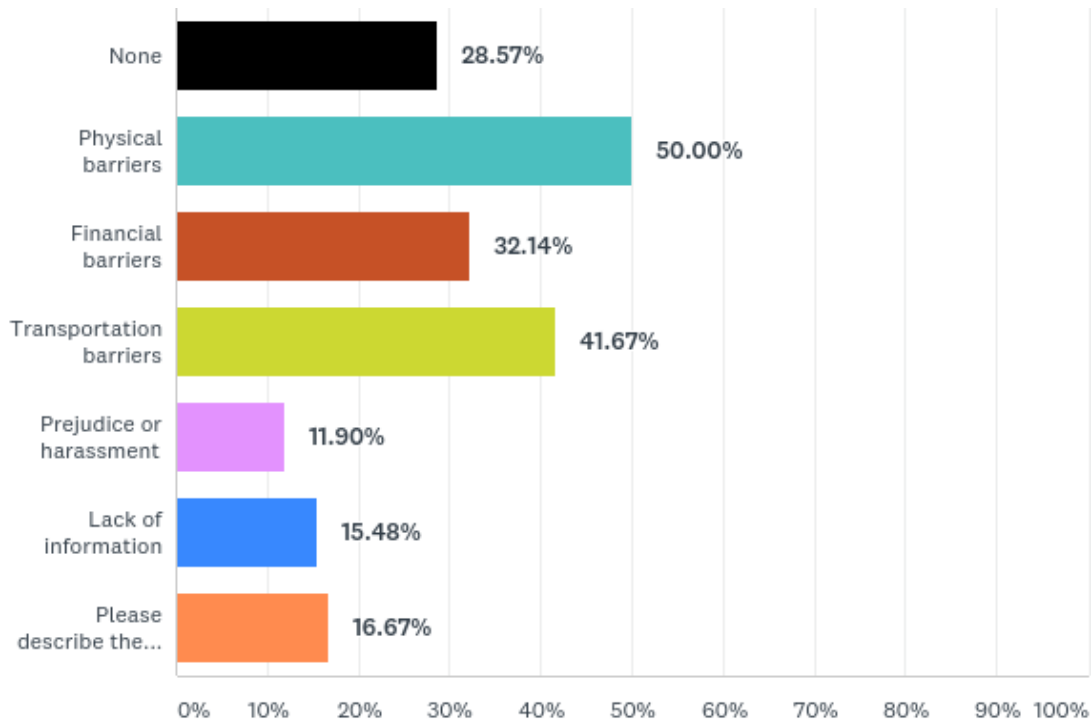
Answered: 82 Skipped: 21

Please describe the challenges faced

- Lack of handicap parking or it's too expensive
- Don't participate in the arts scene
- I don't learn about things until they are over.
- Lack of benches/rest stops
- Getting older means less earning power so starting a business that is a money loser like an art related business becomes more difficult.
- Limited accessible parking
- Dependable transportation
- Lack of nearby parking for my driver's car
- Accessible art spaces and studios that are affordable and available. Prices are too high.

Q22: What challenges have you or others with disabilities or aging-related challenges encountered to accessing arts, culture or entertainment? (check all that apply)

Answered: 84 Skipped: 19



Q22: What challenges have you or others with disabilities or aging-related challenges encountered to accessing arts, culture or entertainment? (check all that apply)

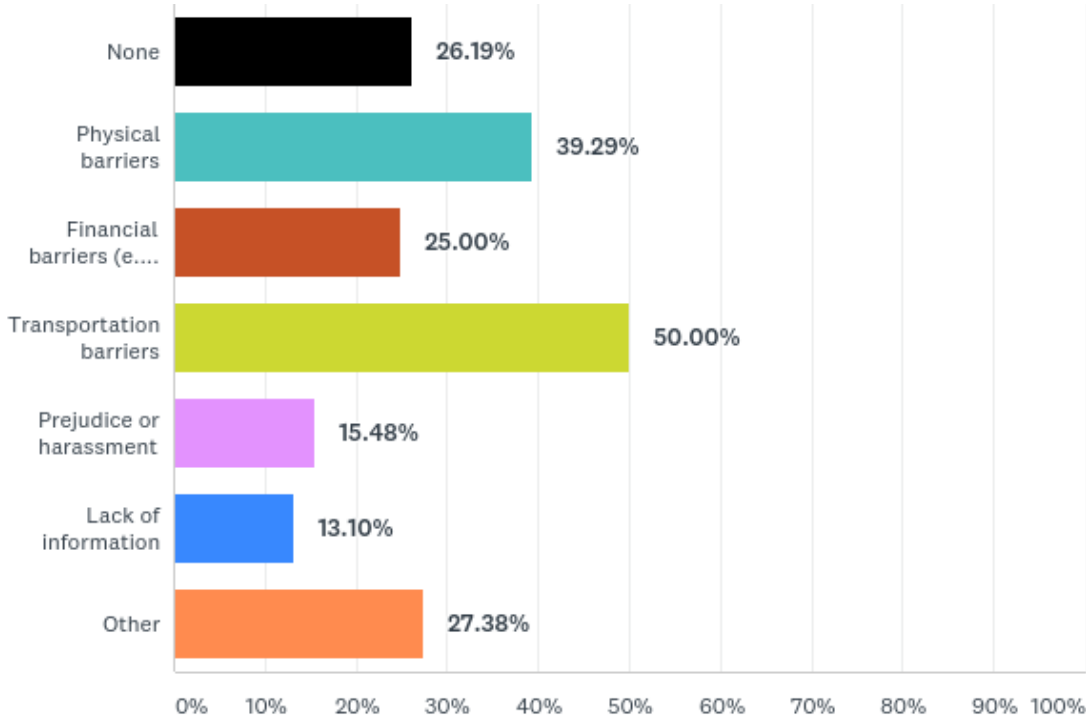
Answered: 84 Skipped: 19

Please describe the challenges faced

- City of Oakland buses need to have ADA Equipment
- I would like to engage in art / shows but they are expensive.
- Lack of accessible on-street parking
- Lack of handicap parking which is just as expensive as non-handicap
- Not convenient using public transportation to downtown. The NL bus doesn't go close enough to my place of work.
- Dont participate in the arts scene
- I don't drive & buses run less after dark
- Lack of benches/rest stops
- Less venues oriented to us old geezers.
- Limited accessible parking
- BART elevators are frequently out of service.
- Just negotiating tickets for the orderly [pca]
- Dependable transportation
- Lack of near by parking for my driver's car
- Is hard to know where and when things are happening

Q23: What challenges have you or others with disabilities or aging-related challenges encountered getting to and from downtown?

Answered: 84 Skipped: 19



Q23: What challenges have you or others with disabilities or aging-related challenges encountered getting to and from downtown?

Answered: 84 Skipped: 19

Please describe the challenges faced

- Construction on sidewalks/streets and poor quality of curb cuts or curb cuts that empty into traffic instead of the crosswalk.
- Curb ramps are not ADA compliant or missing; sidewalk is often damaged or has an uneven surface; this makes traveling at night dangerous.
- Parking for handicapped
- Very time consuming to get a bus to BART from my neighborhood. They don't run often enough and are not direct to BART.
- Proximity to public transit; unavailability of affordable parking
- Buses & BART run less on weekends & after dark.
- Low income, no extra money for activities.
- Lack of benches/rest stops
- Buses run too far apart during commute hours--18 min or more between 7-8am and 4:30-5:30pm to/from east side of Lake Merritt (E. 18th Street)
- None for me, others, even those younger I see struggling with transit. In my neighborhood getting downtown or anywhere is hard because there is no bus service at all after 4:30 and AC basically runs a school bus program. Runs are nearly non-existent midday. Ride sharing may be helping but ride share does not equal physical handicap type accessibility and Para transit stinks and only serves places with existing bus routes that does not include much of the hills where I live. I see seniors trapped in their homes.
- Limited accessible parking

Q23: What challenges have you or others with disabilities or aging-related challenges encountered getting to and from downtown?

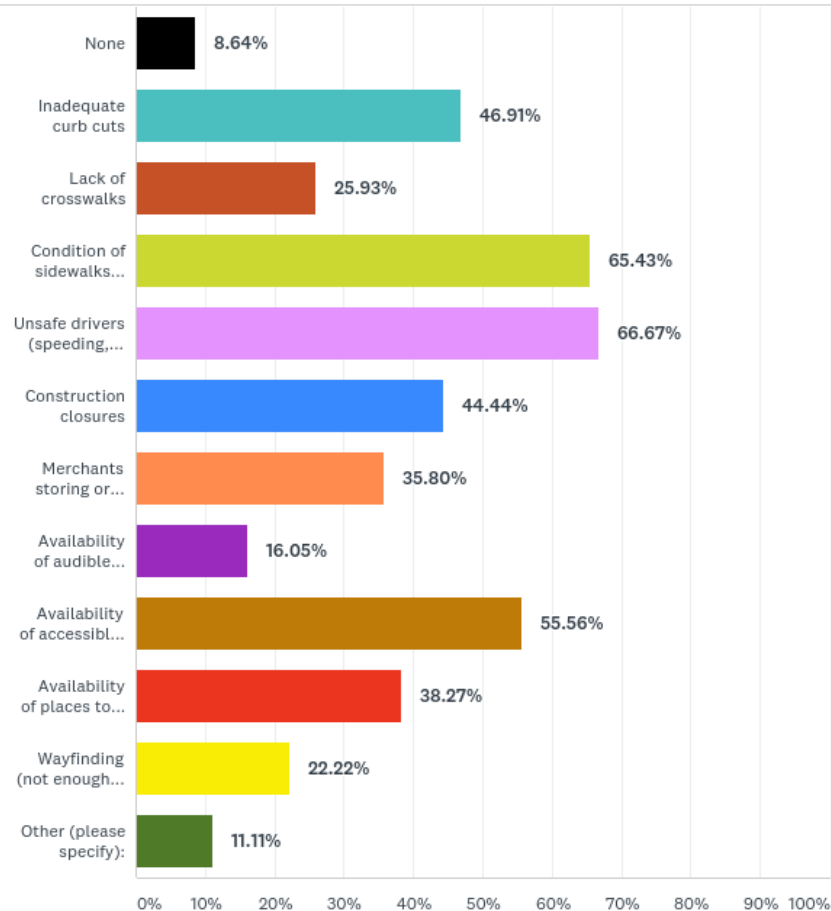
Answered: 84 Skipped: 19

Please describe the challenges faced (continued)

- BART elevators are frequently out of service, making certain BART stations inaccessible to individuals with physical disabilities that require elevator access.
- Traffic hazards
- Parking family van. I like AC transit
- Ride mainstream vehicles, too many transfers, long headways
- Cars parked in bike lanes, congestion and infrequent bus service
- Using public transportation safely
- If bus is full or ramp malfunctioning, then my mother has to wait for another bus
- BART won't install kickplate elevator buttons
- There are a ton of curb cuts in Downtown Oakland that aren't ADA compliant, and that are truly terrifying for a wheelchair user to use. It's also really difficult to find van accessible parking, and I can't use most on-street parking because I can't deploy the lift on my van.
- Limited buses, unreliable paratransit, very few taxis
- East Bay Paratransit is inefficient and unreliable
- Lack of disabled parking near by parking for my driver's car

Q24: What sort of physical challenges do you or others with disabilities or aging-related challenges face getting around downtown streets? (check all that apply)

Answered: 81 Skipped: 22



Q24: What sort of physical challenges do you or others with disabilities or aging-related challenges face getting around downtown streets? (check all that apply)

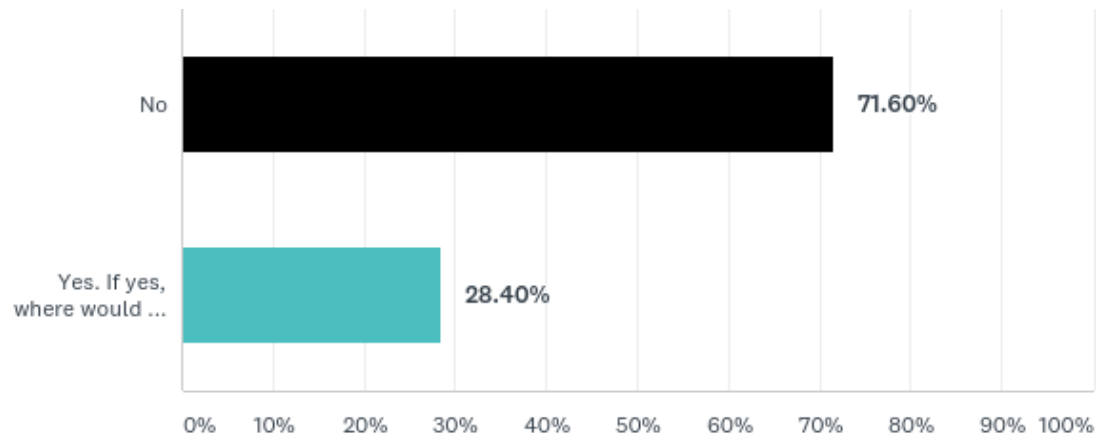
Answered: 81 Skipped: 22

Other

- Not really enough benches at too many AC Transit bus stops.
- Outdoor seating narrowing down the width of the sidewalk or encroach into the curb ramp area. single diagonal curb ramp makes it dangerous to cross the street, have to turn in the street; two directional curb ramps is better & safer.
- Uber blocking curbs & driveways
- Fact I cannot get around much after dark & on weekends adversely affects my social life.
- Personally I don't have much problems but I see others that do. Personally commuting I have to contend nearly daily with drivers of both trucks and cars blocking bicycle lanes where I am trying to use.
- Pavement in City Center area (shopping plaza) is dangerous when wet - have slipped and fallen more than once
- Lack of near by parking for my driver's car
- Signage in different languages

Q25: Are there places downtown Oakland where you would like to go but are unable to get to conveniently?

Answered: 81 Skipped: 22



Q25: Are there places downtown Oakland where you would like to go but are unable to get to conveniently?

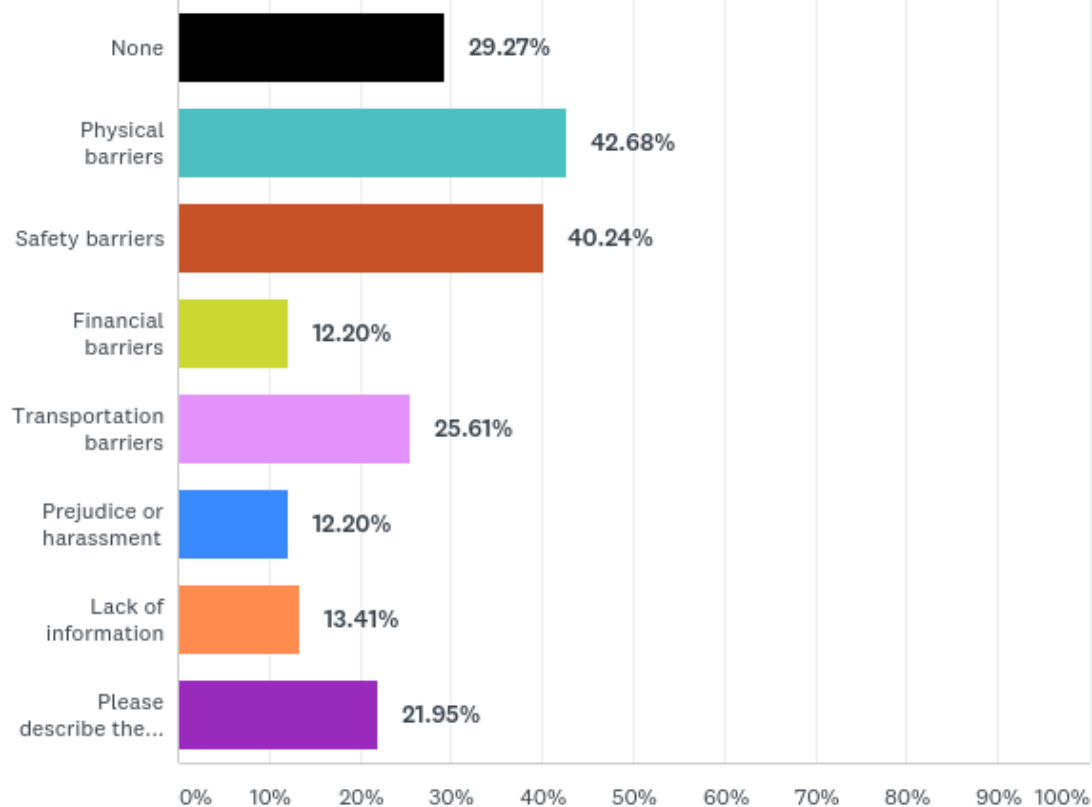
Answered: 81 Skipped: 22

If yes, where would you like to go?

- All over
- Certain businesses such as Starline Social Club or others that are upstairs but don't have elevators
- Everywhere
- Regal cinema, restaurants, LGBT center
- Traveling to Jack London Sq on Broadway is hazard by OPD and under the freeway; poor lightening, outdoor seating narrowing down the width of the sidewalk or encroach into the curb ramp area. single diagonal curb ramp makes it dangerous to cross the street, have to turn in the street; two directional curb ramps is better & safer.
- City Hall/City Council Meetings
- Library (from East Oakland); JL Square
- Broadway
- Every place is "inconvenient"
- Probably but can't think of it at the moment
- Around Lake Merritt
- Chinatown. The curb cuts are either non-existent or terrifying
- Hegenberger Rd from airport max at Coliseum
- Parks and events
- City Center above the 12th Street BART Station
- Usually around construction sites, there is not a clear path for wheelchairs. Also, if you are coming from east Oakland there are many places where you have to get off the side walk to be able to continue across streets in a wheelchair and bus stops are too far away from each other.

Q26: What challenges have you or others with disabilities or aging-related challenges encountered to using public parks, plazas and other spaces? (check all that apply)

Answered: 82 Skipped: 21



Q26: What challenges have you or others with disabilities or aging-related challenges encountered to using public parks, plazas and other spaces? (check all that apply)

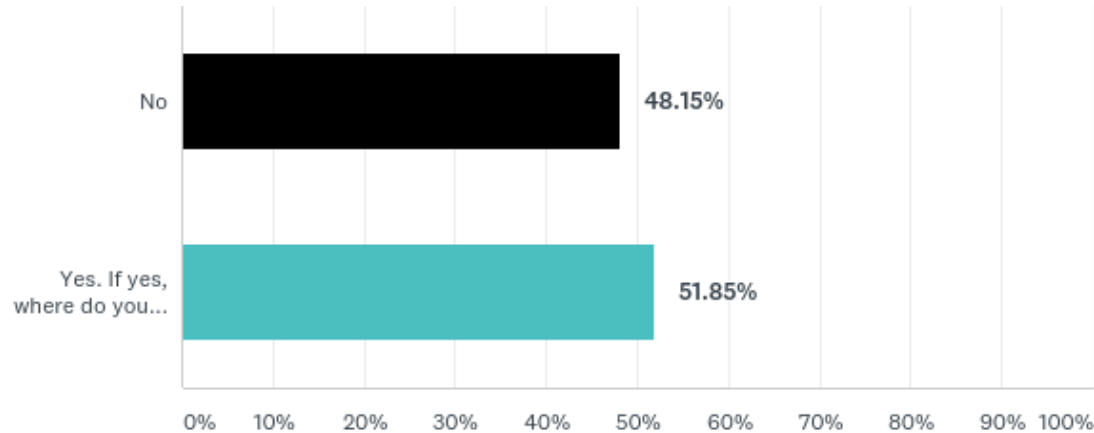
Answered: 82 Skipped: 21

Please describe the challenges faced

- Walking
- Parking
- Haven't tried
- I don't go to the park at night. public restroom area is unclean and unsafe
- These spaces are sometimes unclean or occupied by transients
- crummy deteriorated sidewalks and paths
- Allow dogs as Oakland has parks & places I would only feel safe at if I had a dog.
- Homeless encampments taking over the area. I feel unsafe due to both unsanitary conditions and garbage and encounters with the homeless.
- Lack of benches/rest stops
- Harassed by homeless/street people
- Intimidation by "users" of the parks on occasion. Lack of maintenance causing unsafe conditions or allowing ambush locations to exist, basic lack of CEPTD principals being used.
- Pavement when wet keeps me from going to City Center plaza
- Roots. On occasion. Slopes, steps
- People sleeping on areas where they should not be
- Many parks have encampments in them and are unsafe and littered (needles, etc.)
- Homeless encampment in Lafayette Square Park impedes access to tot lot, benches, and open space
- Lack of nearby parking for my driver's car
- It would be helpful to have a map with parks that have accessible trails and facilities.

Q27: Are there places downtown or on your way downtown where you or others with disabilities or aging-related challenges feel unsafe?

Answered: 81 Skipped: 22



Q27: Are there places downtown or on your way downtown where you or others with disabilities or aging-related challenges feel unsafe?

Answered: 81 Skipped: 22

If yes, where do you feel unsafe?

- Crossing stop lights
- Finding parking
- Most, vulnerability due to age.
- Unlit Bus Stops, all of downtown after dark.
- Where I live...! and wide--- downtown areas after dark.
- 10th St, 11th St, 12th St.
- Frank Ogawa Plaza
- BART Stations
- Grand Ave, evenings. My friend's car was broken in to.
- Streets off Broadway behind city Hall and toward lake Merritt like near banks
- Lake Merritt Bart areas
- Chinatown
- Walking around after dark, taking elevators
- By the freeway underpass and on/off ramps; any where there is an outdoor seating narrowing down the width of the sidewalk or encroach into the curb ramp area. single diagonal curb ramp makes it dangerous to cross the street, have to turn in the street; two directional curb ramps is better & safer.
- Vacant streets, near homeless encampments
- On the cruddy deteriorating sidewalks, paths and streets
- Bus stop shelters

Q27: Are there places downtown or on your way downtown where you or others with disabilities or aging-related challenges feel unsafe?

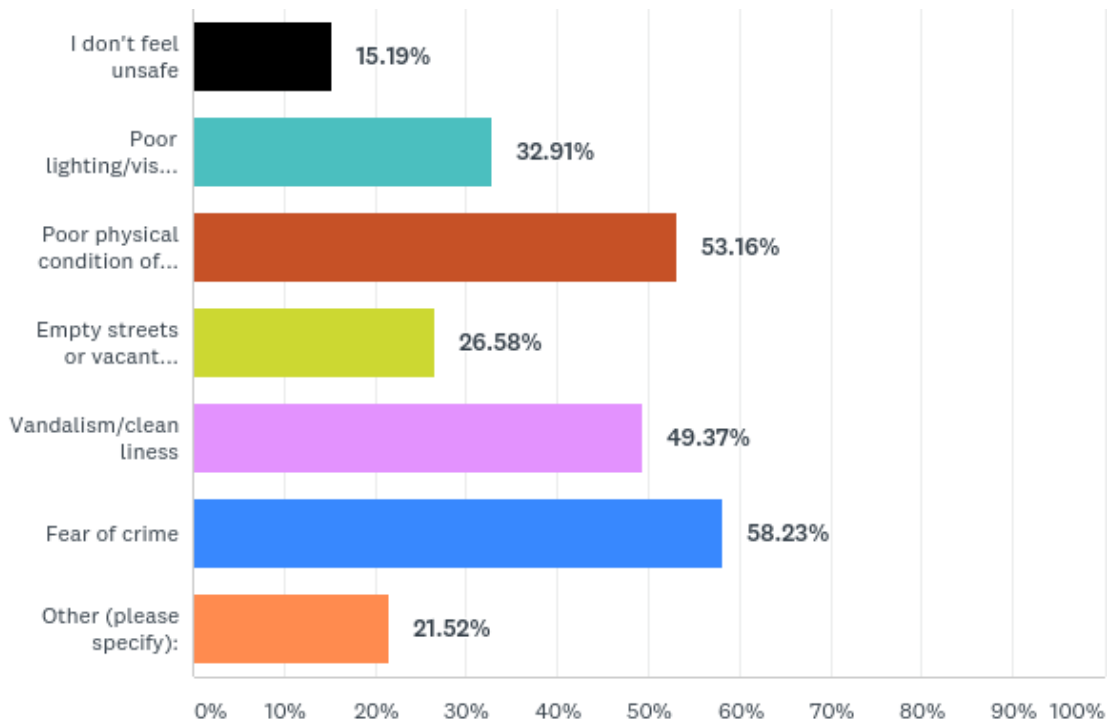
Answered: 81 Skipped: 22

If yes, where do you feel unsafe? (continued)

- Bus stop shelters
- There is too much crime and nuisance. It smells bad. The area is horrible for me to walk around.
- Riding public transportation;
- Lake Merritt
- Broadway: 11th & Broadway, 12th to 13th, 13th & Broadway, 14th & Broadway area, City Hall Plaza
- As a male, not so much where but when. Also, as a person who obviously has some means. After dark, off Broadway.
- Parks, due to drug activity and violence
- All locations at night
- Going through underpasses with large homeless encampments
- Depends on the day
- At night feel less safe but with more people downtown safer than it used to be.
- Franklin Street
- Bus stops, and certain corners downtown
- Sidewalks, streets - unsafe drivers, drug use and dealing, encampments blocking sidewalks, robberies
- Regular car crashes at the following intersections: 7th/MLK, 7th/Jefferson, 8th/Clay, 14th/Clay
- Corners
- Most areas at night. BART elevators are unsafe, dirty.
- Not because of my disabilities, just because there are dangerous areas of Oakland
- Parks and events
- Around homeless encampments and some areas in China town that do not have enough lighting.
- By construction sites that have blocked the sidewalk, making me roll in the street

Q28: If there are places downtown or on your way downtown where you or others with disabilities or aging-related challenges feel unsafe, why do you feel unsafe? (check all that apply)

Answered: 79 Skipped: 24



Q28: If there are places downtown or on your way downtown where you or others with disabilities or aging-related challenges feel unsafe, why do you feel unsafe? (check all that apply)

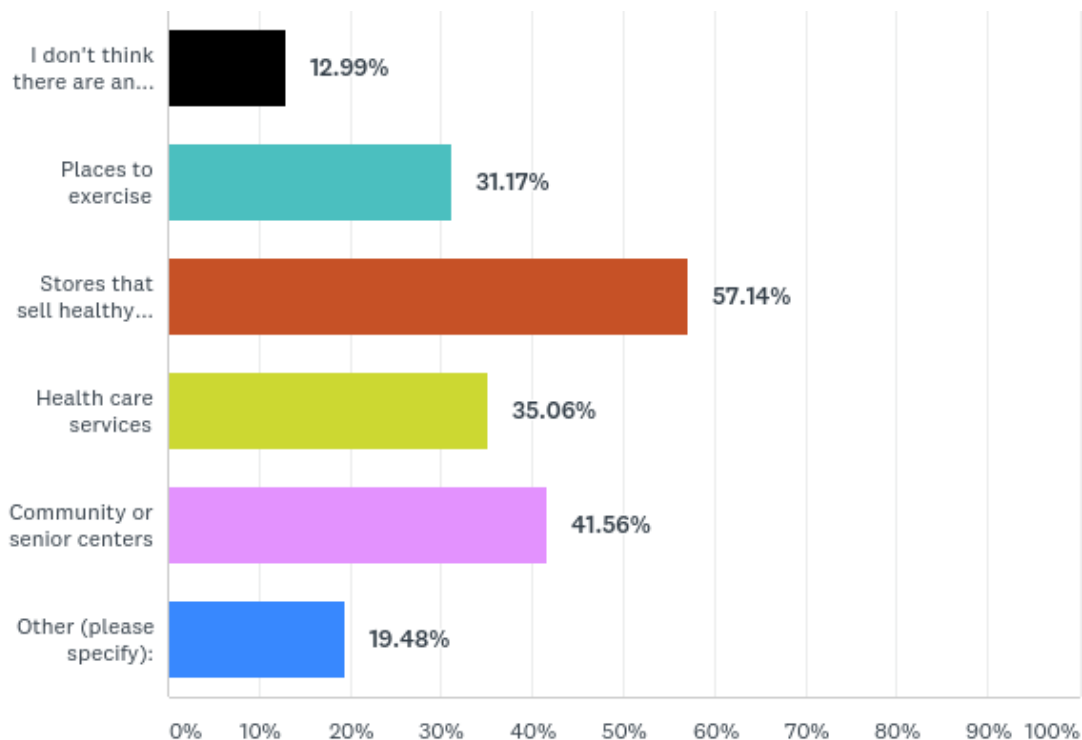
Answered: 79 Skipped: 24

Other

- Part of Harrison St.
- Beggars
- Harassment by loiterers (sexual, verbal) or shop keepers (discriminatory)
- Slope of streets
- Catcalling and rude commentary
- I use a cane this scares me a little about crime.
- Some of the areas are danger zones for me.
- People defecating in streets/urinating on buildings
- Homeless encampments
- Aggressive, angry homeless/street people
- Unsafe drivers on major corridors
- Too many homeless groups in the immediate areas
- Large groups hang out
- Traffic
- BART hold-ups stop me from exiting BART downtown
- I was assaulted downtown in broad daylight and the police never responded.
- Same young men hanging out for hours at 13th and Broadway

Q29: What resources downtown do you think are missing or inadequate that would help you or others with disabilities or aging-related challenges live healthier lives? (check all that apply)

Answered: 77 Skipped: 26



Q29: What resources downtown do you think are missing or inadequate that would help you or others with disabilities or aging-related challenges live healthier lives? (check all that apply)

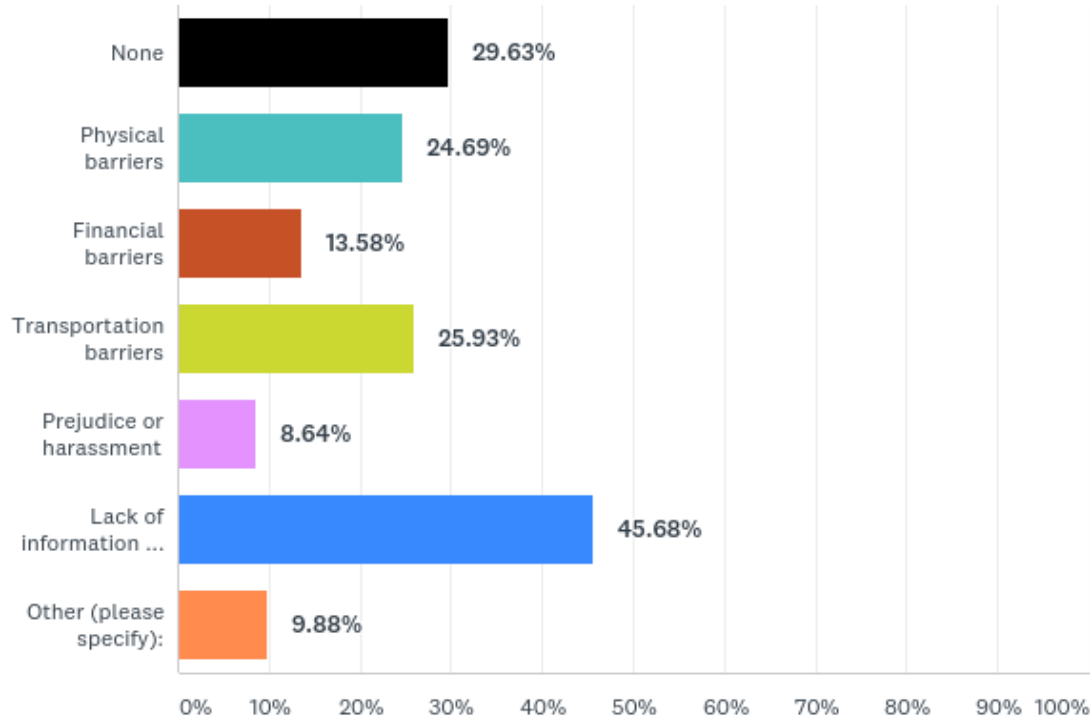
Answered: 77 Skipped: 26

Other

- Way more low-income senior housing!
- Safer, quieter areas.
- Rent-controlled accessible housing or more affordable accessible new housing.
- Social activities, physical activities, libraries
- Clean it up, better lighting on side streets, handicap parking
- Standard issue retail establishments--clothing, household goods, accessories, specialty shops, shoe stores, etc.
- More shuttles down main streets
- Flat and hilly areas to exercise with benches
- Clean and safe public areas just to relax & unwind
- From my perspective (not physically old, only partly deaf), not much. For others, we could always use more resources.
- No opinion
- I may just not know where they are because not yet a senior.
- Growth in the business sector
- Affordable Housing
- Adequate wages for IHSS workers
- Green spaces or rooftop gardens that are accessible and safe
- A map of accessible facilities and public building access would be helpful

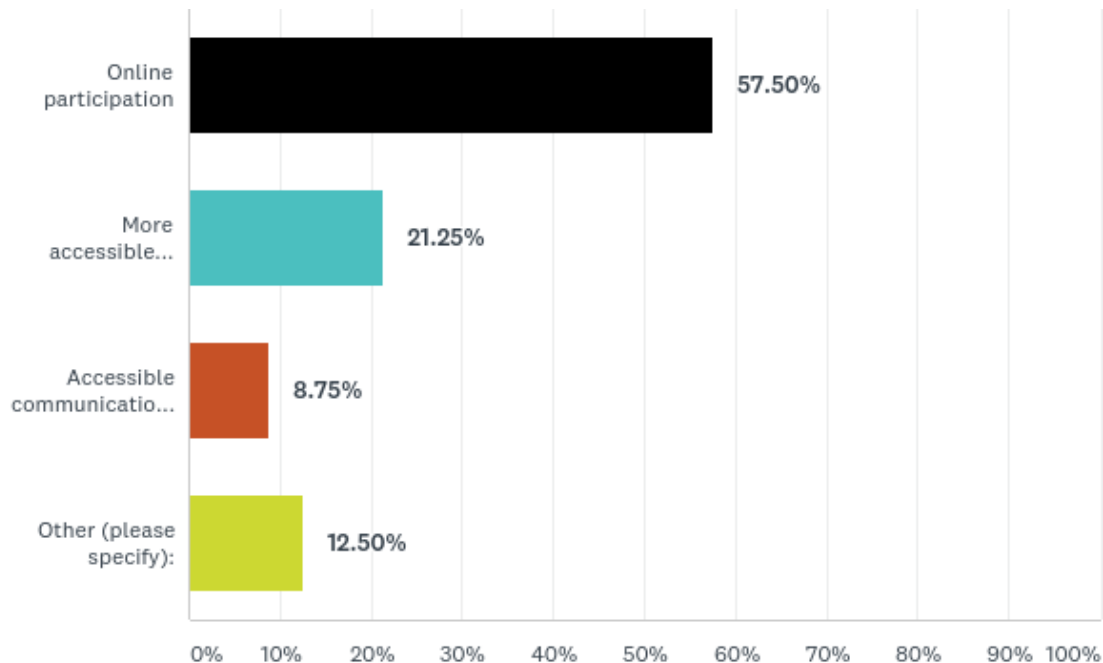
Q30: What challenges have you or others with disabilities or aging-related challenges encountered to participating in the Downtown Oakland Specific Plan planning process? (check all that apply)

Answered: 81 Skipped: 22



Q31: What would help you participate in the Downtown Oakland Specific Plan planning process? (check all that apply)

Answered: 80 Skipped: 23



WOODMINSTER THEATER ADA IMPROVEMENTS PHASE II SUMMARY REPORT

CITY OF OAKLAND
PUBLIC WORKS DEPARTMENT
AUGUST 2018

8/3/2018

Aug 2018 - Project Summary Presentation to MCPD

1

EXHIBIT D

Woodminster Theater – ADA Improvements II

August 2018

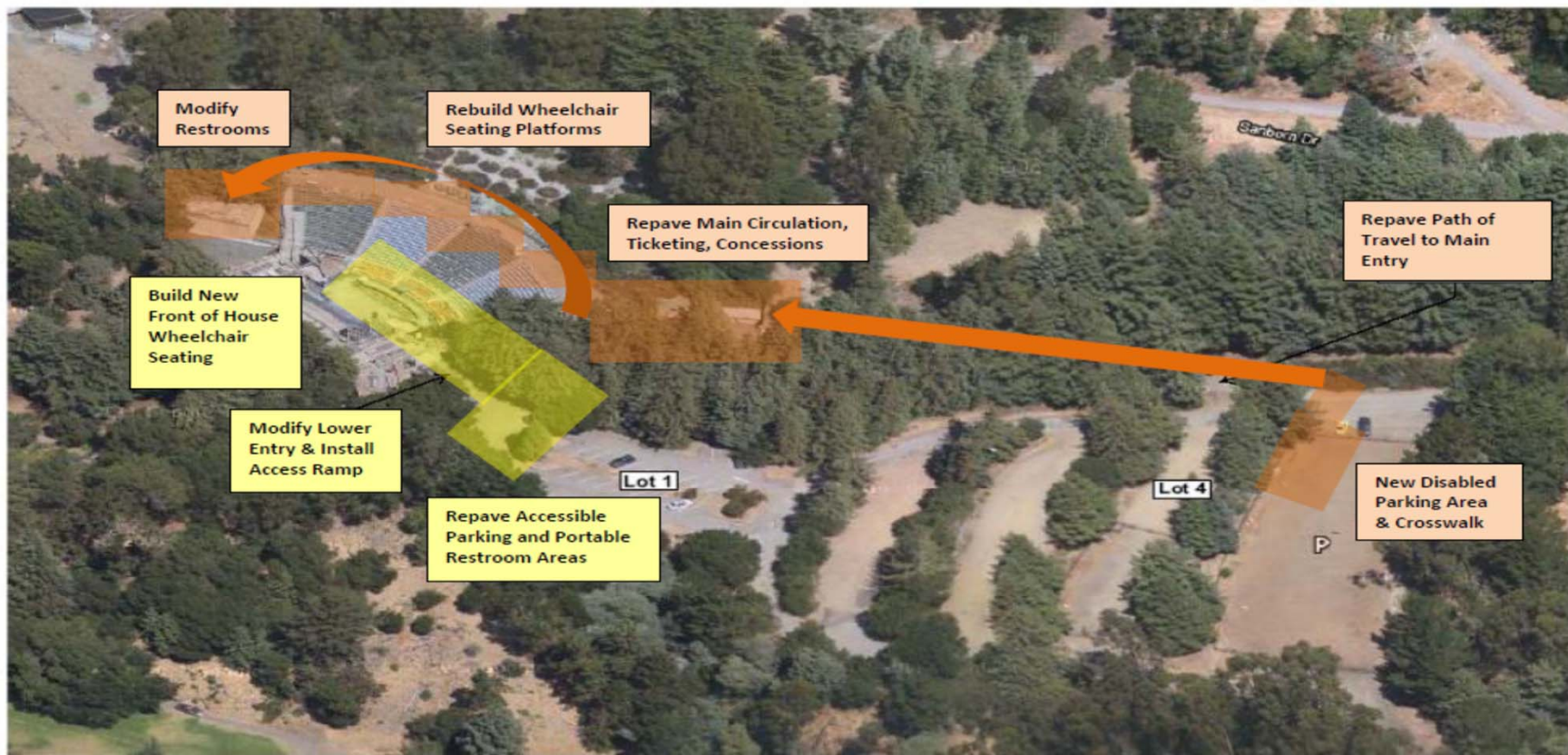
- ADA improvements at the Woodminster Theater facility were required under a lawsuit settlement involving the City (White v. Oakland). The agreed ADA improvement scope must be completed by December 31, 2018.
- The Phase 1 ADA improvements entailing access seating spaces and path of access from parking to the upper amphitheater features were completed in 2014 with funding of \$554,000.
- The Phase 2 ADA improvements entail the construction of new wheelchair accessible seats and access improvements at the lower amphitheater that include accessible parking and a picnic area with compliant paths of travel. In addition, a new exterior prefabricated restroom is also added under an additive bid alternate for the project.

PROJECT OVERVIEW

Phase 1 (complete)



Phase 2



8/3/2018

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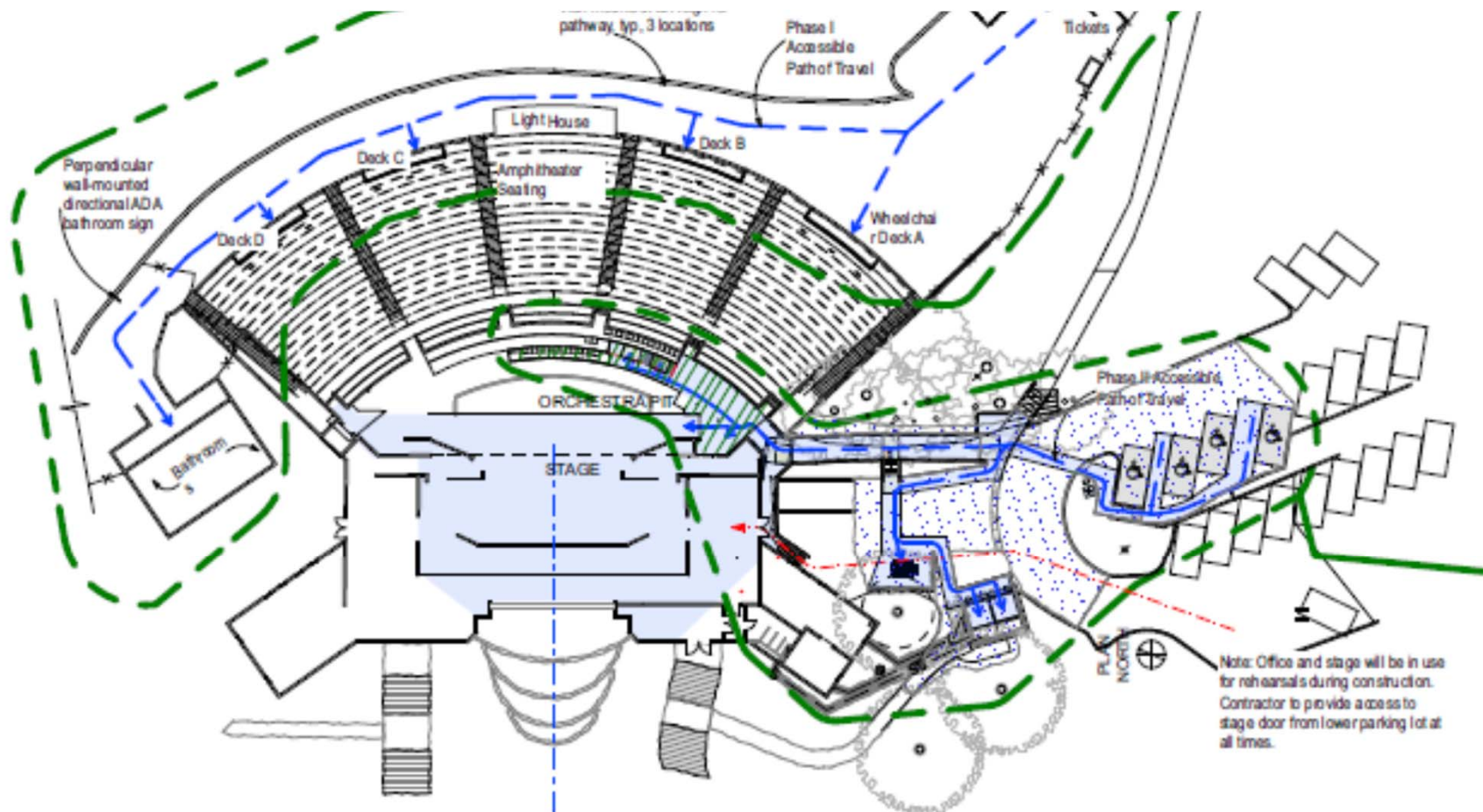
3

EXHIBIT D

SCOPE REQUIREMENT

- Provide four compliant wheelchair seats with companion seating in the front of the amphitheater, in the premium seating area.
- Provide a compliant path of travel connecting the wheelchair seating in (1) to the lower entrance and lower parking lot (Lot 1).
- Provide four ADA compliant parking spaces and path of travel to lower entrance in the lower lot (Lot 1), at least one of which shall be van-accessible.
- Provide a ADA compliant portable restroom area with lighting and accessible path of travel to the lower entrance.
- Provide compliant facilities at the picnic area outside the lower amphitheater entrances, including at least one accessible picnic table and accessible paths of travel to the lower parking lot, entrance, and portable accessible restrooms.
- Provide compliant signage as required to serve existing and new accessible features included under II.

PROJECT AREA



8/3/2018

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FUNDING

- As part of City's Fiscal Year 2015-17 Budget cycle in June 2015, the City Council adopted the Budget including appropriation of General Purpose Fund (1010) for the Woodminster Phase 2 ADA Improvements project as well as appropriation of General Purpose Fund (1010) for On-Call ADA Capital Improvement Projects.
- The project fund sources for Phase 2 are:
 - \$1,000,000 General Purpose Fund
 - \$217,000 ADA Capital Improvement Funds
 - \$130,000 Miscellaneous Trust (Woodminster Theater Trust)Total: \$1,347,000

Woodminster Theater ADA Improvements Phase 2



Accessible Parking area to the Theater Entry

8/3/2018

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Woodminster Theater ADA Improvements Phase 2



Before: Access area to lower theater seating



After: New ADA ramp from parking lot to lower theater seating

8/3/2018

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8

EXHIBIT D

Woodminster Theater ADA Improvements Phase 2



Before: No parking access and access to lower seating area.



After: Provide 4 accessible parking spaces and continued pathway to the lower Seating Area.

8/3/2018

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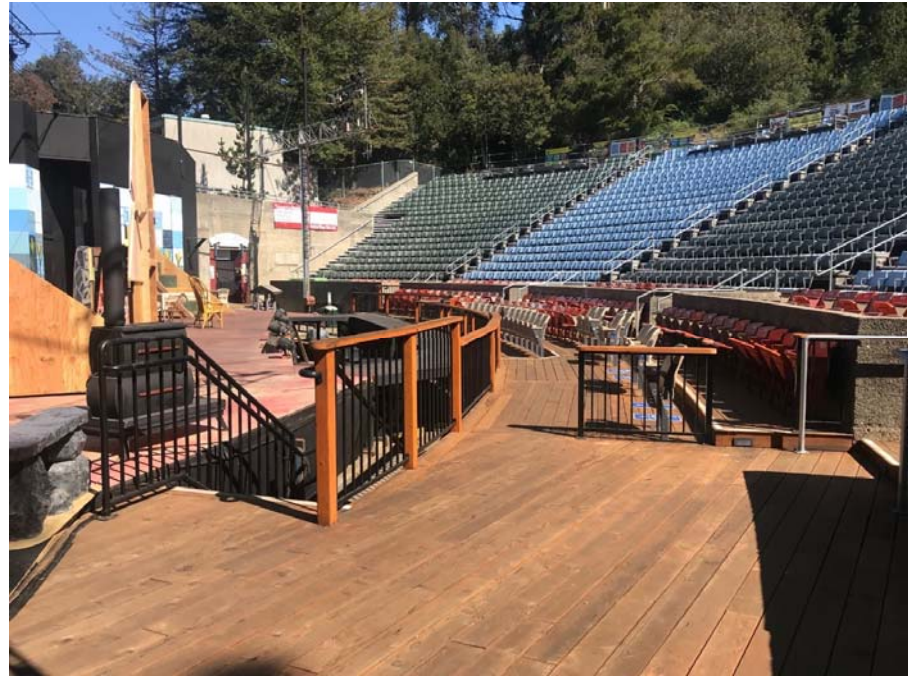
9

EXHIBIT D

Woodminster Theater ADA Improvements Phase 2



Before: Seating area, lack wheel chair and access at seat deck area.



After: Eliminated grade difference and matched Seating Area to exterior access ramp and added seats.

8/3/2018

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10

Woodminster Theater ADA Improvements Phase 2



New ADA accessible restroom and Picnic area
near lower theater entrance

8/8/2018

Aug 2018 - Project Summary Presentation to MCPD



Woodminster Theater ADA Improvements Phase 2

Questions & Answers



IN BRIEF

This bill mandates the California Public Utilities Commission (CPUC) to develop regulations, by January 1, 2020, for transportation network companies (TNCs; i.e. Uber and Lyft) relating to accessibility for persons with disabilities.

BACKGROUND

The CPUC was created as a transportation regulatory body,¹ and most recently established its regulatory oversight of TNCs in 2013 via an ongoing rulemaking.² This CPUC decision made California one of a few states to regulate TNCs at a state level; many states, like Washington and Illinois, regulate TNCs on a city or regional level.

In the initial decision adopting the first rules on TNCs, disability access was highlighted as a central issue to consider, with the CPUC noting the need “to ensure that TNCs are accessible to, and do not discriminate against, persons with disabilities.”³

As outlined within the Americans with Disabilities Act (ADA)⁴ and §54.1 of the California Civil Code: “individuals with disabilities shall be entitled to full and equal access, as other members of the general public, to ...privileges of all common carriers ...or any other public conveyances or modes of transportation.”⁵

The ADA was passed in 1990. The CPUC had previously opened a rulemaking in 1988⁶ to examine disability access issues; their decision on that proceeding⁷ simply ordered all common carriers to comply with the ADA. Twenty-six years later, it is unclear to what level the CPUC has evaluated disability access across their transportation authority. Although CPUC-licensed carriers’ self-verify ADA compliance during vehicle licensure, the disability access requirements for TNCs are unclear.

THE PROBLEM

In the 2013 decision on TNCs, the CPUC added disability access to its list of issues to be considered in subsequent phases of the rulemaking. But the question posed – “what regulations should be adopted to assure that the disabled community has access to TNC services?” – has swung on and off the CPUC rulemaking list throughout the four years of the proceeding’s history,⁸ and is currently listed as a separate proceeding without a timeline for consideration.

The fact remains that throughout the CPUC’s TNC rulemaking, the TNCs continue to operate within California; an operation available to able-bodied Californians, but potentially lacking for disabled Californians. In the past months, numerous disability advocates have discussed the shortcomings of TNC services, as being either unavailable or delayed to the point of uselessness. This is especially true for disabled persons requiring wheelchair accessible vehicles.

While TNCs have made important improvements and provided access to many in the disabled community, especially for Deaf and Blind individuals, what is currently lacking – and what SB 1376 seeks to address – is the lack of availability for wheelchair users, especially wheelchair users whose wheelchairs cannot break down and fold into a trunk. This is a tough problem to solve, as TNC services are provided by individuals using their personal vehicle and very few individuals own wheelchair accessible vehicles.

However, several jurisdictions within the U.S. – such as Seattle⁹ and Chicago¹⁰ – levy surcharges

⁸ Originally listed on the first Scoping Memo on 11-26-2014 (<http://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M143/K311/143311123.PDF>); removed on the Scoping Memos in 04-28-2015 and 10-26-2016; returned on the 04-07-2017 Scoping Memo, and subsequently bumped to an unknown timeline in the most recent Scoping of 06-12-2017 (<http://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M190/K174/190174048.PDF> ; pgs. 8-10)

⁹

<https://www.seattle.gov/Documents/Departments/FAS/RegulatoryServices/CPU%20Rules/CPU-11-2016-signed-FINAL.pdf>

¹ The California Railroad Commission in 1911.

² R.12-12-011, D. 13-09-045

³ pg. 54 *Ibid.*

⁴ Code of Federal Regulations, Title 49, Subtitle A, Part 37

⁵ CIV §54.1 (a)

⁶ R. 88-03-012

⁷ D. 92-12-065

(~\$0.10-0.25 / trip) on TNC trips to be deposited in an accessibility fund to be used for incentives and investments in wheelchair accessible on-demand transit. Yet, California is one of the few states¹¹ to regulate TNCs at a state level; thus the solution to TNC disability access unavailability in California will require state-wide coordination.

THE SOLUTION

This bill mandates the CPUC to develop regulations, by January 1, 2020, for TNC accessibility for persons with disabilities.

Moreover, this bill mandates that as part of the regulatory development, the CPUC must:

- engage in workshops with relevant stakeholders;
- assess a fee on TNCs to fund on-demand accessible transportation services;
- request interested parties to submit plans to access the on-demand transportation fund in order to meet the transportation needs of persons with disabilities;
- require specific criteria and reporting from parties accessing the fund;
- report to the Legislature by January 1, 2023 on the implementation of the program; and
- create a working group with stakeholders to examine duplicative programming in transportation services for disabled persons.

Disability access to TNCs should be of the highest priority; an equity issue the CPUC and the Legislature cannot ignore.

SUPPORT

The Arc – California Collaboration
California Transit Association
The Center for Independent Living
Disability Rights California
Independent Living Resource Center San Francisco
San Francisco Mayor’s Office on Disability
San Francisco Municipal Transportation Agency
Senior and Disability Action
United Cerebral Palsy – California Collaboration

STATUS

Senate Floor Vote: 39-0

Assembly Communications & Conveyance
Committee – to be heard on Wednesday, June 20th

FOR MORE INFORMATION

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laura.mcwilliams@sen.ca.gov

¹⁰

<https://www.cityofchicago.org/content/dam/city/depts/dol/rulesandregs/TNPRulesAmendedeffJan12017.pdf>

¹¹ Along with Maryland and Massachusetts