



CITY OF OAKLAND
Mayor's Commission on Persons with Disabilities (MCPD)
Monday, March 20, 2017

Amended Minutes

- I. Called to Order at 5:32 p.m.
- II. Roll Call (**Exhibit A1**)
- III. Public Comments
 - Ms. Eva Aguilar stated that sidewalk adjacent to Arroyo Viejo Park have been in disrepair for eight years, and that motorcycle riders and off-road vehicles driving recklessly are unabated in the park and on surrounding streets and sidewalks. She also shared flyers announcing the United Seniors of Oakland and Alameda County 26th Annual Convention on May 22nd at Eden United Church of Christ, 21455 Birch St., Hayward.
 - Ms. Bettye Lou Wright expressed appreciation for the the MCPD's minutes, stating that they are effective in keeping her informed and engaged despite not havng attended the meeting.
 - Ms. Wright also stated that she doesn't ride East Bay Paratransit anymore because of rudeness of drivers. A left her because it took her more than 10 minutes to get to the vehicle. She uses a wheelchair and that day it was raining, and she must rely on her building's one elevator to get down from her fifth floor unit.

- Ms. Wright stated that she does use a wheelchair accessible taxi for her periodic visits to Stockton, and would like to see regular taxis, Lyft, and Uber be options for persons like her who rely on wheelchair accessible vehicles for transportation.
- Staff confirmed that a discussion regarding the availability of wheelchair accessible vehicles in the City's taxi program would be on the April 17th MCPD agenda.
- Commissioners Brian Harrington and Brandon Young offered to obtain more information regarding Uber and Lyft capacity to offer wheelchair accessible vehicles.

IV. Commissioner's Announcements

- Commissioner Thomas Gregory shared that the federal ABLE Account Act will be rolled out in California this summer (Cal ABLE Accounts). Individuals on SSI will be able to accumulate more than \$2,000 without putting their SSI at risk. This program is intended to create financial tools and legal tax shelters for low income persons with disabilities. For more information, refer to the Center for Independent Living (CIL) and California Treasury Department.
- Commissioner Gregory also noted that the proposed federal budget would eliminate Community Development Block Grants (CDBGs) and would affect many services for people with disabilities.

V. Chair Report: *Frank Sperling, Chair*

- Chair Sperling read the Mayor’s Proclamation honoring Thomas Gregory for his service as MCPD Chair in 2016
- Chair Sperling welcomed Hoang Banh as new ADA Program Analyst
- Chair Sperling also thanked Terrell Hegler in the Mayor’s Office for his support in filling one of the two remaining vacancies, with the appointment of Alicia Contreras scheduled for the March 21st Council meeting.

VI. Approval of January 2017 Minutes (**Exhibit A**)

- Moved by Commissioner Gregory, seconded by Chair Sperling, approved unanimously.

VII. Agenda Modification and Approval

- Chair Sperling moved to modify the agenda to discuss Exhibit F (MCPD Ordinance Amendment) first when the commission reaches Item VIII.A., Old Business. Seconded by Commissioner Harrington, approved unanimously.

VIII. Staff Reports

A. Infrastructure Bond and Fiscal Year 2017-19 Budget Update; *Sherri Rita, ADA Programmatic Access Coordinator* (**Exhibit B**)

- Ms. Rita directed commissioners to Exhibit B, setting forth the budget priorities of the Council and Mayor, information regarding the Infrastructure Bond, and an

overview of the budget process and timeline for Fiscal Year 2017-2019.

- Commissioner Harrington stated that he was able to attend an initial Infrastructure Bond implementation meeting, where a proposed mapping tool was presented to assist with project prioritization.
- The tool in beta version can be viewed here:
http://oakbec.s3.amazonaws.com/MapLanding/maps/Equity_Dashboard_2.html#
- Additional data layers, including curb ramp compliance and safety can be viewed here:
<http://oakbec.s3.amazonaws.com/Dev/Dev-DOTDashboard.html>
- Staff announced and handed out upcoming budget workshop dates and locations as announced in the latest City Administrator's Weekly Report.

IX. New Business

A. National Multiple Sclerosis (MS) Society Northern California Chapter Request for MCPD Participation/Sponsorship in April 22, 2017 Event; *Morgan St. Clair, Development Manager, Special Events, National MS Society, Northern California (Exhibit C)*

- Ms. Hazel Weiss, volunteer for the National MS Society and Ambassador for 2017 Walk MS, attended in place of Ms. St. Clair.
- Ms. Weiss stated that there is a range of possibilities for the MCPD to be involved in this year's event, which will take place at Lake Merritt, including asking for

Mayor Schaaf's participation, having a commissioner speak, or hosting an information table.

- Vice Chair Zisser moved for the Commission to participate in Walk MS in a capacity to be determined and to approve staff inquiring as to the Mayor's availability to attend the event; Commissioner Harrington seconded, approved unanimously.

B. City of Oakland Bike Share Program and Disability Access; *Sherri Rita; Carlos Hernandez, Bike Share Program Coordinator, Emily Stapleton, Motivate; Kara Oberg, Metropolitan Transportation Commission (MTC)* (Exhibit D)

- Ms. Rita summarized staff activities to date in investigating Commissioner Sarah Garner's complaint at the MCPD's November 2016 meeting regarding the apparent lack of adaptive cycles in the City of Oakland Bike Share Program. She stated that the ADA and its regulations do not address bike share programs or their equipment requirements specifically but that Title II generally requires that the City's programs and facilities be accessible to persons with disabilities, unless making a program accessible would result in a fundamental alteration of the program, or impose an undue financial or administrative burden on the City. She stated that the City has not concluded that these defenses apply here and that further analysis is underway.
- Carlos Hernandez, Oakland's Bike Share Program Coordinator, provided an overview of the Bay Area Bike Share Program, which was initially launched in San Francisco and San Jose and will soon be expanded to Oakland, Berkeley, and Emeryville. MTC is the

regional coordinator. Motivate is the vendor/owner/operator. Motivate and the title sponsor, Ford, are responsible for all funding and maintenance.

- Daryl Meshack, a member of the public, commented that Ford is an innovator in mobility and accessibility. Mr. Meshack suggested that Ford help with the cost for adaptive bicycles.
- Ms. Rita explained that staff convened stakeholders to discuss how bike share can be made accessible to persons with disabilities, including representatives of various cycling organizations, cyclists with disabilities, transportation advocates, and disability advocates, on January 26, 2017. Key recommendations from that meeting included the need to modify time limits, to make provisions for storing mobility devices, and to be able to respond to adaptive bike malfunction and maintenance needs.
- Ms. Rita shared that while other municipalities (Westminster, CO; Carmel, IN, and College Park, MD) offer adaptive bikes in their programs using vendor Zagster, these programs and locations may be distinguishable from Oakland and its program.
- Kara Oberg, Active Transportation Coordinator from MTC, stated that in response to discussions with City of Oakland staff, MTC will launch a one-year pilot to improve disability accessibility in Bay Area Bike Share.
- Ms. Oberg stated that while the agreements among the participating cities, MTC, and Motivate require Motivate to comply with the ADA, the intent of this provision related to station design and placement in the right of way, not equipment.

- Emily Stapleton, General Manager of Motivate, stated that Motivate wishes to be considered a partner in this effort to make Bay Area Bike Share accessible to cyclists with disabilities.
- Jeff Tumlin, Interim Department of Transportation Director, stated that the City's and MTC's solution to accessibility in Bay Area Bike Share may go beyond what is required by the ADA, and asked for commissioners' patience as the parties continue their work towards making program modifications.
- Vice Chair Zisser questioned Motivate's "case study" provided under Exhibit D and its analysis that the provision of adaptive cycles in bike share would be a fundamental alteration of the program.
- After discussion among commission members, Chair Sperling moved for the MCPD to have Carlos Hernandez return in two months to report on progress and details on the measures taken by the parties to Bay Area Bike Share to improve disability access; Commissioner Gregory seconded, and approved unanimously.

X. Old Business

A. MCPD 2017 Ordinance, Goals, Objectives, Roles and Responsibilities (**Exhibits E-H**)

- Tabled due to time constraints, to be heard on April 17, 2017 agenda.
- Chair Sperling stated he was establishing an ad hoc committee to study the staff analysis and MCPD

ordinance and to make recommendations at the April meeting regarding committee structure and commission goals and objectives.

- Chair Sperling moved to set up an ad hoc committee to discuss Item 10A and report back. Commissioner Gregory seconded, and approved unanimously.

X. Adjourned at 7:59 p.m.