



**CITY OF OAKLAND**  
Mayor's Commission on Persons with Disabilities (MCPD)  
**Monday, June 17, 2013**

**MINUTES**

- I. Call to order at 1:05 p.m.
- II. Roll Call
  - Quorum: Yes
  - See Exhibit 1A
  - Commissioners provided brief introductions and welcomed the new members. (Please review pages 14 through 22 in the June 17, 2013 packet for their resumes).
- III. Public Comments
  - Ms. Eva Aguillard talked about the deplorable conditions of sidewalks in East Oakland.
- IV. Commissioner's Announcements
  - Commissioner Jacobson: Had a photo shoot that appeared in the New York Times. It looked portrayed the details of health care for persons with disabilities.
  - Commissioner Beard announced that he will be co-conducting a seminar on home buying in West Contra Costa County with emphasis on obtaining home protection through special needs trust instruments.
- V. Approval of Minutes
  - May 13, 2013
  - Motion/Second: Commissioner Burns/Commissioner Blanks
  - Motion passed by consensus. May 13, 2013 minutes are approved with no corrections.

## VI. Agenda Modification and Approval

- June 17, 2013
- Motion/Second: Commissioner Beard/Commissioner Jacobson
- Motion passed by consensus. Agenda approved with no modifications.

## VII. Chair Report:

- Membership Update: Commissioner Beard expressed his appreciation for the three new commissioners; Mr. Richard Rueda, Ms. Fatimah Simmons and Ms. Miquette Thompson. (Please review Item II above).
  - He reminded all to continue their search for additional commissioners and emphasized that living and/or working in Oakland is an important qualification for selection.
- Chairperson Beard briefed the MCPD on his presentation and report on Tuesday, June 11, 2013 to the City Council Life Enrichment Committee, LEC.
  - There were several MCPD commissioners in the audience who spoke in support of the MCPD.
  - Chairperson Beard was delighted with the reception by Council Members of the MCPD's activity report.
  - Councilperson Kaplan invited the MCPD to approach her directly if A/C Transit fails to comply with the Conditions of Approval, COA, Number V: Functional Needs Access for its Bus Rapid Transit, BRT, project.
  - Had probing and interesting questions on governmental obligations regarding health care issues for people with disabilities from Councilperson Gallo.
  - Ms. Calabrese and commissioners discussed their experiences at the LEC regarding the presentation of the 2012 MCPD activity report.

## VIII. Vice-Chair Report

- Commissioner Jacobson stated that the MCPD needs more attendance from the general public. Commissioner Jacobson has put the MCPD meetings on the Berkeley Disabled List Serve.
  - Commissioner Beard described the support that Sandi Soliday, Coordinator for the Alameda County Developmental Disabilities Council, provides for the MCPD by promoting its monthly meeting.

## IX. Committee Reports

A. Access Compliance Advisory Committee (ACAC), Chairperson Scott Blanks reported on the May 15, 2013 meeting. The architects for the BRT, Mr. Thomas Kronemeyer and Mr. Chris Downy gave an informative presentation on the BRT station platform design: including the path finding details, egress and ingress structure from the BRT stations; and the appearance of the two BRT station designs. (There will be two different station designs for the BRT, curbside and mid-street).

- Commissioner Blanks said that the presentation provided such detail that that opened up further discussion. He further stated that both architects were extremely forthcoming. Announced that there will not be an ACAC meeting in June.
- Commissioner Blanks invited Ms. Calabrese to comment on the present progress of the BRT. Ms. Calabrese stated that both A/C Transit and the City are making a consolidated effort to bring the project to Council on July 9, 2013 for ratification of the master cooperative agreement and the operations and maintenance agreement for this major roadway project which extends from Downtown Oakland to San Leandro border.
- Discussion and comments on the BRT.
- Next Meeting: Wednesday, July 17, 2013, 10:00 a.m. to 12:00 p.m., Hearing Room Three, One Frank H. Ogawa Plaza (City Hall)

B. Education & Outreach Ad-hoc Committee, EOC, Chairperson Lorraine Rosenblatt reported that the next event is Wednesday, June 18, Alameda County Public Health Fair, at the Oakland Coliseum from 8:00 a.m. to 2:00 p.m. (See Exhibit B)

- The Ed Roberts Campus will host an event for Friday, 5<sup>th</sup> of July. Commissioner Rosenblatt will email additional information on this event.
- The Art & Soul Event will occur on August 3 and 4, 2013. On Sunday, August 4, the MCPD will staff an information table. Commissioner Rosenblatt asked for volunteers.
- October is National Disability Awareness month. There are plans for three events: Youth in Action which celebrates the accomplishments of youth with disabilities. Second, will be a forum regarding youth transitioning from high school to adulthood. Thirdly, the MCPD plan to sponsor a comedy night

with a group of young comedians with disabilities. Volunteers will be needed to assist with program details.

- C. Strategic Planning & Oversight Ad-hoc Committee, SPOC, Chairperson Denise Jacobson welcomed a new member, Fatimah Simmons to the ad hoc committee. Commissioner Jacobson further reported that the SPOC engaged in a lively debate whether the MCPD must either further develop its social media presence or its legislative relationships.

## X. Staff Reports

- A. ADA Programs Division Update; Christine Calabrese, ADA Programs Manager reported that the present two year budget will close on June 30, 2013 and that the Oakland City Council will adopt a new two year budget on or before that date.
  - Ms Calabrese described at length the various direct and indirect impacts of the budgeting process in citywide ADA and other disabilities series programs.
  - Discussed that the ADA Programs, even with full staffing of 2.75 FTE and \$252,000 in discretionary capital improvement dollars annually is largely constrained to implementing new (2010) ADA Title II mandates and the requirements of various pending and active litigation settlement agreements; i.e.: CFILC v. Oakland (E-Prep) and White v. Oakland (Woodminister Amphitheater).

## XI. Old Business

- None

Break 1:50 p.m. to 2:00 p.m.

## XII. New Business

- A. Follow up on the Caldecott Tunnel Area Improvements, this report is forwarded from the March 20, 2013, ACAC meeting; Victoria Eisen, Eisen, Letunic Transportation, Environmental and Urban Planning who is a consultant on the Caldecott Settlement reported.
  - About five years ago the City of Oakland sued Caltrans over the construction of the fourth bore of the Caldecott Tunnel citing that the environmental study was extremely flawed. The City prevailed and received 8 million dollars whereby the award was

designated for specific projects to make the area more pedestrian and bicycle friendly.

- Presentation on proposed remediation designs for the entire project area. This presentation featured the projects which are intended for increased accessibility for pedestrian and cyclists in the area.
- Commissioners discussed, questioned and commented on the Caldecott Tunnel project.

B. Speakers Series: Providing the Public with Effective and Independent Oversight of the BART Police Department; Mark P. Smith, Office of the Independent Police Auditor, OIPA, BART. (See Exhibit C)

- Mr. Mark P. Smith, an Independent Police Auditor expressed his appreciation to the MCPD for the invitation to speak before the commission about the OIPA. He introduced commissioners from the BART Citizens Police Review Board and staff from the OIPA.
- Officer Smith briefed the MCPD on the history of the OIPA. In 2009 a tragic event occurred, the demise of Mr. Oscar Grant though the actions of a BART Police Officer. It was this event which provided the impetus for the BART Board of Directors to establish first a civilian oversight board of its police force; and second; an office wherein staff actually investigates the actions of its police force. This is the OIPA. The OIPA reports directly to the Citizens Police Review Board, which is an 11 member's volunteer board that reviews all the actions of the OIPA.
- OIPA responsibilities. Take complaints of misconduct against BART police officers. The complaints range from excessive force, racial profiling, sexual harassment, sexual orientation. Collect evidence, investigates witness, officers and make reports that determine the outcome of the investigation and make recommendations thereof. The OIPA also conducts appeals on the decisions of the BART Police Internal Affairs Department. BART has established oversight layers for its police force.
- A responsibility of the OIPA is community outreach and inform about the services which BART provides regarding its police force. The OIPA participates in community forums and is open to appearing before community groups informing people about the OIPA. The OIPA may be contacted: (510) 874-7477;

fax (510) 874-74751; [opia@bart.gov](mailto:opia@bart.gov) or  
[www.bart.gov/policeauditor](http://www.bart.gov/policeauditor).

- The MCPD and the OPIA and its CPRB Board engaged in a question and answer period.

XIII. Meeting Evaluation

- Very informative regarding tunnel road and the BART Police Auditor Board.

XIV. Agenda Items for Next Meeting

- Housing forum

XV. Adjourned at 3:30 p.m.

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NOTE: THE COMMISSION MAY TAKE ACTION ON ANY ITEM  
ON THE AGENDA

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Public Comments: To offer public comments at the MCPD meeting, please register with Adriana Mitchell, ADA Programs Assistant, before the start of the meeting. Public Comments is one of the first agenda items therefore, please, arrive by 12:45 p.m. Please note that the MCPD will not provide a detailed response to your comments but may schedule your issue for a future MCPD or committee meeting. The 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 materials in alternative formats, or to request an ASL interpreter, captioning or assistive listening device, please call Adriana Mitchell 238-5219 (V) or 238-2007 (TTY) at least three, 3, 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.