



City of Oakland

Mayor's Commission on Persons with Disabilities (MCPD)
Monday, September 16, 2024 5:30 p.m.-7:30 p.m.
Hearing Room 1, First Floor
One Frank H. Ogawa Plaza (City Hall), Oakland, CA 94612

Minutes

Commissioners: Anwar Baroudi (Chair), Benjamin Bartu (Vice Chair), Noah Smith, Marjorie Lynne, Fatimah Aure, Linda St. Julian, Thomas Cloyd, Linda Stevens, Raven Foote, Brittaney Creswell, Kaitlin Roh

Commission staff: Anh Nguyen-ADA Programs Division Manager, Mark Romoser-ADA Programs Division Program Analyst I

Presenters: Melanie Kushnir-Pappalardo and Judge Michael Begert, SF CARE Court; Craig Raphael, OakDOT; Eddie Ytuarte, Oakland Tenants Union

Other attendees: Jia Wilson, Ian Jones, Mica Amichai

Attendees on Zoom: Sheela Gunn

Mark Romoser begins the meeting with a reminder of rules for in-person meetings:

- No food or open drink allowed in Hearing Room 1 to maintain a clean and professional environment.
- Drinks must be in a closed container to prevent any spills or accidents.
- When commissioners speak- please press the top red button that says “mic” and when you are finished, please press the button again.
- To ensure clarity and transparency, when commissioners speak, please state your name before speaking.
- When a member of the audience is speaking or commenting- please first state your name and any affiliations you may have.
- Restrooms are located outside Hearing Room 1, near the elevators.

Exhibit A

Chair Baroudi called the meeting to order at 5:33.

Roll Call

- At roll call, quorum was not established with five of eleven commissioners present.

Commissioners	Present (x)
Anwar Baroudi (Chair)	X
Benjamin Bartu (Vice Chair)	Absent (excused)
Noah Smith	Arrived 5:40
Marjorie Lynne	Absent (excused)
Linda St. Julian	Absent
Fatimah Aure	X
Thomas Cloyd	Absent (excused)
Linda Stevens	X
Raven Foote	X
Brittaney Creswell	Absent
Kaitlin Roh	X

Open Forum: Sheela Gunn sent the following comments:

- With fall approaching, now would be a good time to check gutters, heaters, and the like.
- There will soon be construction around Ashby BART affecting Ed Roberts Campus.
- CIL's emergency preparedness program was featured on the August 30 edition of KPFA's program Pushing Limits.

Comm. Smith arrived at 5:40. After another roll call, quorum was established with six of eleven commissioners present.

Approval Of Minutes

- Comm. Stevens made a motion to approve the August 2024 minutes. Comm. Smith seconded. Motion was approved 6-0.

Exhibit A

Commissioner's Announcements

- Chair Baroudi noted that the public comment period for AC Transit's ReAlign project had closed, and that there will be a vote on whether to keep the present paratransit service area.

San Francisco CARE Court

- Melanie Kushnir-Pappalardo and Judge Michael Begert from San Francisco CARE Court gave their presentation.
- Comm. Aure asked why people opted out of treatment. Ms. Kushnir-Pappalardo replied that they can also opt in, since the program is voluntary. She added that any forced treatment would go through the probate/conservatorship process. She then pointed out that if a participant stabilizes and opts out of treatment, that would be fine, and that conservatorship has to be due to serious mental health issues.
- Comm. Foote asked if there were incentives for completing the program similar to the gift cards, etc. provided during the program. Ms. Kushnir-Pappalardo replied that those who complete the program are eligible for bridge housing, which is very important in the tight housing market. Comm. Foote then asked if that would be the same across counties once other counties start their CARE courts. Judge Begert replied that access to bridge housing is written into the CARE court statute, but that availability of other resources will vary by county. Ms. Kushnir-Pappalardo added that each county works differently. Comm. Foote then asked about the number of people served. Judge Begert replied that 42 petitions had been filed, but about half of them have been dismissed, many of them because agencies have successfully engaged the people involved. Ms. Kushnir-Pappalardo added that many people who contact her aren't appropriate for CARE court.
- Comm. Roh asked about accountability measures such as a monitoring and evaluation plan. Judge Begert replied that there are reporting obligations to the state, and added that since confidential health information is involved and the numbers are so small, they have to be cautious about releasing data. He added that the statute imposes accountability on the county behavioral health agencies, and that he and other judges could refer such matters to the presiding judge. Comm. Roh asked if there were any metrics used to evaluate

Exhibit A

the program. Judge Begert replied that counties are required to report a lot of information to the state.

- Chair Baroudi asked if there would be an annual report. Judge Begert replied that he didn't know, but that there were reporting requirements to various state agencies, Chair Baroudi asked if housing was provided to participants throughout the program. Judge Begert replied that the focus was on bridge housing and supportive housing. He added that many participants have had negative experiences with available housing and so aren't interested, and that getting people into housing was a goal of the program since housing is so hard to find in the region. Chair Baroudi asked if housing was written into the statute. Judge Begert stated that the program is a housing-first program, and that shelter is essential for care. Chair Baroudi asked about referrals from inside and outside the court system. Judge Begert replied that outreach workers search for potential participants. And that the appointed attorneys also have social workers who do outreach. He added that participants engage with court via Zoom on their cellphones. He noted that few if any referrals from the court system, because people opt for diversion programs which, unlike CARE court, allow their cases to dismiss their cases, and that another way to access the system is through the probate (conservatorship) system. He added that there is a risk that people in the behavioral health system may be identified as gravely disabled and placed under conservatorship.

Automated Safety Enforcement System pilot

- Craig Raphael from OakDOT gave his presentation.
- Comm. Stevens asked if there would be signs put up saying that speed cameras were in use. Mr. Raphael replied that they are required to put up signs at all 18 locations as well as major entrances to the city.
- Chair Baroudi asked if the signs would be put up 60 days before the cameras are activated. Mr. Raphael replied that the outreach campaign will begin 60 days prior to activation, and that the signs will be put up after that but in advance of camera activation, and that the first 60 days are a warning period, with no citations issued. Chair Baroudi then asked if that was separate from the first citation being a warning. Mr. Raphael replied that the first citation for someone going 10 to 15 mph over the speed limit would be a warning, separate from the warning period. Chair Baroudi then asked if it was clear that

Exhibit A

people wouldn't get ticketed at first. Mr. Raphael replied that that would be in the outreach materials. Chair Baroudi went on to ask about data from other cities regarding the impact of speeding less than 10 mph over the speed limit. Mr. Raphael replied that OakDOT would be collecting that data in 1-mph increments, and that some cities ticket at 6 mph over the limit, but Oakland will be ticketing at 11 mph over. Chair Baroudi wondered if that might increase lower-level speeding. Mr. Raphael replied that the hope is that the presence of cameras will reduce speeding well below the 10-mph threshold.

- Comm. Smith asked how the baseline data of speeds and future speeding data would be obtained. Mr. Raphael replied that tube counts (rubber strips in the street), or more accurate technology, would be used in both instances.
- Comm. Stevens asked what would happen if the cameras detected the plate of a stolen car, and how it would handle a car without plates. Mr. Raphael replied that citations are mailed to the registered owner of the vehicle, who would then file an affidavit that the vehicle was stolen, and that it is a known limitation of the system that it cannot issue citations to vehicles without plates, although they can track how many such citations could not be issued.
- Chair Baroudi asked if there would be coordination between OakDOT and OPD about reducing enforcement at camera locations. Mr. Raphael replied that no such discussions had taken place. Chair Baroudi requested data on speeding less than 10 mph over the limit when it becomes available.

Oakland Tenants Union

- Eddie Ytuarte from Oakland Tenants Union gave his presentation. Mr. Ytuarte provided a handout which is provided below.
- Mr. Ytuarte concluded his presentation by asking if anyone had heard from the city about forming an advisory body for implementation of the elevator ordinance. Chair Baroudi replied that the ordinance is scheduled to go into effect in December, that he hadn't heard anything about such a body, and that his understanding about enforcement was that it was up to the individual to file a motion to get the fines due. He asked if Oakland Tenants Union could help. Mr. Ytuarte replied that he had heard that the Economic Development Agency would be in charge of follow-up. Chair Baroudi mentioned that he'd love to share what he knows, because the ordinance leaves enforcement up to individuals who might be faced with an undue

Exhibit A

burden. He then asked Comm. Smith if he had any comments about enforcement. Comm. Smith replied that he had not, other than that it goes into effect towards the end of the year. He asked about the enforcement mechanism. Chair Baroudi replied that it relies on individual claims. Comm. Smith suggested following up on this. Chair Baroudi asked if Oakland Tenants Union was a place where people could be referred. Mr. Ytuarte said that regulations are just as important as the ordinances themselves, and that Oakland Tenants Union wanted to be involved in shaping them. He added that a tenant who went to code enforcement was rebuffed. Chair Baroudi suggested contacting the California Public Utilities Commission. He then mentioned the *Smith v. Oakland* lawsuit. MCPD had an update from the city attorney's office late last year, but have heard nothing since. Mr. Ytuarte mentioned that he had invited disability advocates to appear on KPFA's Pushing Limits but they had nothing to add. He then expressed displeasure with the suit, because the city attorney's office had to use resources to fight the suit. Chair Baroudi pointed out that buildings old enough to be covered by rent control are too old to be covered by the ADA, and thus lack many physical accessibility elements or access. He suggested looking for ways to reach a resolution.

- Comm. Smith asked if Mr. Ytuarte was on the MCPD listserv. Mr. Ytuarte replied that he was not.

Letter to Dr. Landry at CARES Project

- Anh Nguyen pointed out that Vice Chair Bartu was not present to lead the discussion. He suggested that commissioners send their feedback to Vice Chair Bartu. It was then decided that this would be an informational item.
- Mark Romoser read the letter.
- Comm. Smith suggested including the date of the site visit.
- Chair Baroudi remarked that the letter was extremely well-written.

Staff Updates and Announcements

- Pacific Community Ventures has launched the Oakland Restorative Loan Fund 2.0, a \$3 million dollar program that offers loans of \$10,000 to \$100,000 to local businesses. Applications opened on September 4th. The funds can be used to make businesses more accessible.

Exhibit A

- The Alameda County Fair Housing Survey closed on September 13th.

Future Agenda Items

- Comm. Smith asked about future agenda items. Anh Nguyen replied that the State Council on Developmental Disabilities, a website accessibility update, and a strategic plan update were on the October agenda.
- Comm. Smith suggested that an update on the *Smith v. Oakland* lawsuit be placed on a future agenda. Chair Baroudi agreed.

Comm. Foote made a motion to adjourn. Comm. Roh seconded. The meeting was adjourned at 6:58.

Exhibit A

Oakland Tenants Union handout

Housing Resources Phone Numbers

Oakland Tenants Union (voice mail) 510 704-5276

All numbers in 510 area code unless indicated otherwise

LEGAL:

Disability Rights California	(800) 776-5746
East Bay Community Law Center	548-4040
Centro Legal	437-1554
Bay Area Legal Aid	663-4744
Eviction Defense Center	452-4541
Bar Association of Alameda County	302-2222
Legal Assistance for Seniors	832-3040
API Legal Outreach	(415) 567-6255

DISCRIMINATION:

California Dept. of Housing and Employment (800) 233-3212

ADVOCACY/SERVICE ORGANIZATIONS:

Center for Independent Living (Berkeley)	841-4776
ACCE	269-4692
(Alliance of Californians for Community Empowerment)	
Causa Justa/Just Cause	763-5877
ECHO Fair Housing	496-0496
Tenants Together	(888) 495-2020
SEEDS Conciliation Services	548-2377
Tenants and Neighborhood Councils	671-5747

GOVERNMENT AGENCIES:

Alameda County Information Line	211
Alameda County Health Homes (inc. lead)	567-8280
Alameda County Public Health	267-8000
Alameda County Vector Control	567-6800
California Dept. of Consumer Affairs	(800) 952-5210
Oakland Housing Authority	874-1500

Exhibit A

OAKLAND CITY GOVERNMENT RESOURCES:

City Attorney	238-3601
Code Enforcement	238-3381
Fire Department Inspection	238-7054
Housing Assistance Center	238-6182
Rent Adjustment Program	238-3721
Zoning and Permits	238-3913