



**City of Oakland, Bicyclist & Pedestrian Advisory Commission**  
**Minutes from the August 18<sup>th</sup>, 2022 meeting**  
***Teleconference***

Meeting agenda at <https://cao-94612.s3.amazonaws.com/documents/August-2022-BPAC-Meeting-Agenda.pdf>.

Meeting called to order at 6:01 pm by BPAC Chair Patricia Schader.

**Item 1. Teleconference Protocol/Roll Call/Determination of Quorum/Introductions**

At roll call, quorum was established with six commissioners present (X). Two commissioners arrived after roll call (x).

Commissioners	Present
Andrew Campbell	X
Alex Frank	X
Grey Gardner	X
Mike Lok	
Phoenix Mangrum	x
David Ralston	X
Patricia Schader (Chair)	X
Nick Whipps	X
Dianne Yee (Vice Chair)	x

Introductions were made.

- Other attendees: Mari Balestrazzi, Jeff Bandy, John Brewer, Humberto Castro, Louis Cruz, Kevin Dalley, Lisa Dillon, Adam DeYoung, Danielle Dynes, Jose Feroso, Hans Chavez Ferrerya, Jan Garcia, Alan Gellman, Linda Heath, Citlalli Herrera, Deepak Jegannath, Jimmy Jessup, Jeremy Medina, Brian O'Malley, Art May, Robert Prinz, Lisa Ray, Deborah Sosebee, George Spies, Midori Tabata, Jennifer Taylor, Dawn Tran-kiem, Reid Williamson, 846 8612 5413, A D, A K, Balestrazzi, Kevin, Kim D, M, pbsj, Sam, Suzy, telephone callers 7811 and 7348
- Staff: Maya Amichai, Mandana Ashti, Karen Denicore, Michael Ford, Dean Hsiao, Ofurhe Igbiniedion, Ruth Meza, Kerby Olsen, Julieth Ortiz, Jason Patton, David Pené, Noel Pond-Danchik, Emilia O. Salto, Brian Sukkar, Joe Wang, Megan Wier, KTOP

**Item 2. Open Forum / Public Comment**

- George Spies called attention to the Traffic Violence Rapid Response Team and the ongoing work they are doing to encourage the City to make streets safer. He recently spoke with OakDOT Director Fred Kelley about balancing the need for both rapid responses and long-term improvements and he supports this two-pronged approach.
- Kevin Dalley, also a member of the Traffic Violence Rapid Response Team, spoke to Oakland's Fire Code negatively affecting transportation projects, including the 14<sup>th</sup> St project in downtown Oakland. The Fire Code will be updated later this year and he is in dialog with the Fire Marshall about the need to allow for narrower streets.

- Reid Williamson advocated for safer walking to school in the Dimond-Laurel area. He spoke as a parent, and specifically to the intersection of Harold St and Montana St, where a driver recently went through a fence.

### Item 3. Approval of meeting minutes

- A motion to ***adopt the Bicyclist & Pedestrian Advisory Commission meeting minutes from July 21<sup>st</sup>, 2022*** was made (Frank), seconded (Whipps), and approved by roll call vote with Commissioners Campbell, Frank, Gardner, Ralston, Schader, Whipps, and Yee voting in favor (unanimously by Commissioners present). Adopted minutes online at [www.oaklandbikes.info/BPAC](http://www.oaklandbikes.info/BPAC).

### Item 4. Renewal of Resolution to Continue Teleconference Meetings

The Commission considered renewing a resolution determining that conducting in-person meetings of the Bicyclist & Pedestrian Advisory Commission and its committees would present imminent risks to attendees' health, and electing to continue conducting meetings using teleconferencing in accordance with California Government Code Section 54953(e), a provision of Assembly Bill 361 (AB-361).

- The Commission ***adopted a resolution determining that conducting in-person meetings of the Bicyclist & Pedestrian Advisory Commission and its Committees would present imminent risks to attendees' health, and electing to continue conducting meetings using teleconferencing in accordance with California Government Code Section 54953(e), a provision of AB-361.*** The motion was made (Whipps), seconded (Ralston), and adopted by roll call vote with the following Commissioners voting in favor: Campbell, Frank, Gardner, Ralston, Schader, Whipps, and Yee (unanimously by Commissioner present).

The resolution is attached to these meeting minutes.

Speakers other than commissioners: None

### Item 5. Recent Bicyclist and Pedestrian Fatal Traffic Crashes

Chair Schader led the commission in a discussion of recent fatal and other high-profile traffic crashes in Oakland involving bicyclists and pedestrians.

- On Monday, 7/18/22 at 10:11pm, a Black male pedestrian was fatally struck by a driver on Bancroft Ave at 62nd Ave.
- On Saturday, 7/23/22 at 11:53pm, a 63-year-old white male bicyclist was fatally struck by a driver on Jackson St at 14th St.

#### Summary of Discussion:

- Megan Wier, OakDOT's Safe Streets Division Manager, noted there have been 25 traffic fatalities thus far this year. She thanked the Commission for having this standing item to bring much needed attention to these tragedies. She reported that OakDOT's Rapid Response team is evaluating the feasibility of installing new crosswalks on Bancroft Ave at 61<sup>st</sup> Ave and 62<sup>nd</sup> Ave, which may include the installation of pedestrian safety islands. OakDOT is seeking to make these improvements in October. The street lighting at the location is being evaluated. OakDOT is also looking at funding

sources for longer-term improvements to slow traffic on Bancroft Ave in this vicinity. OakDOT is working proactively citywide through the Safe Oakland Streets Initiative and in partnership with OPD, the City Administrator and the Department of Race and Equity to deter the driving behavior that is resulting in many of these fatalities. There are no new resources for doing this Rapid Response work on Bancroft Ave. It is getting done by prioritizing current resources.

- The crosswalks and lighting are specific improvements at the locations of the fatalities. It is hard to know if these improvements would have prevented the recent fatalities, but they are significant pedestrian safety improvements at these locations.
- Following OakDOT's identification of the causes of these crashes, it would be helpful to seek input from the BPAC on the possible solutions that would address these causes.
- OakDOT is working with OPD to bring an item to the BPAC in the coming months to discuss in detail traffic fatalities and the follow-up investigations conducted by OPD and OakDOT.
- It would be helpful for OakDOT to share more information on the investigations that are conducted for rapid response projects.
- There are no stop controlled intersections/crossings along half a mile of Bancroft Ave in the vicinity of 61<sup>st</sup> And 62<sup>nd</sup> Aves. It appears that the traffic speeds, crossing distances, and lighting levels are the combination leading to these deaths. Find ways to slow drivers on this roadway.
- Despite Bancroft Ave being wide, a lot of people are parking their cars on the sidewalk. There aren't many crosswalks, and even fewer traffic signals.
- OPD should be collecting the vehicle speeds from the event recorders in the cars involved in these crashes.
- People expressed a shared sense of sadness for these tragedies, but also appreciation for BPAC's continuing attention and OakDOT's work.

Speakers other than commissioners: Megan Wier, George Spies, Kevin Dalley, Emilia Salto

## **Item 6. Sidewalk Blocking**

Kerby Olsen, New Mobility Supervisor at OakDOT, presented on the department's draft proposal to address sidewalk parking through a combination of community outreach and education, street modifications and parking enforcement. The presentation slides were included in the meeting's agenda packet and an updated version of the presentation slides are attached to these minutes.

### **Summary of Discussion:**

- The enforcement component is a delicate business because some people may not have the resources to pay the ticket, or to get their car back if it is towed.
- Consider how to make more of the right-of-way accessible to pedestrians (like Slow Streets), in addition to trying to keep vehicles off sidewalks.
- Prioritization will be a challenge as there are so many locations where sidewalk parking occurs. Look for prioritization factors that emphasize safety.
- Hard data are not available on the response times to requests for parking enforcement. The goal is to have a technician on site within twenty minutes, and work is underway to be able to measure response times.
- Some violators are individuals. Other violators are businesses, like some auto repair shops, where their regular business operation includes sidewalk parking.

- OakDOT is working more collaboratively with other departments involved in code enforcement. This partnership can provide a more sophisticated response to chronic issues at particular businesses.
- Implementing one-way streets would create more roadway width for parking off of the sidewalk. But this solution won't be feasible on streets that are needed for both ingress and egress into neighborhoods.
- Some number of residents don't see sidewalk parking as a concern and believe that they should be able to park on sidewalks.
- Consider allowing residents to submit photographs of cars parked on sidewalks that would trigger warning letters – and eventually tickets – being sent to the registered owners.
- Consider taking these recommendations to the neighborhood councils in the impacted neighborhoods to get feedback on the possible solutions. Keep in mind the neighborhood council attendees may not represent all views in a given neighborhood, so also talk to people on the streets in question.
- The timeframe for this effort is under development, with the immediate next steps being to gather more input on the approach.
- During shelter-in-place, there was more enforcement of sidewalk parking because people had a greater need for using their sidewalks and because parking enforcement for street sweeping was temporarily suspended, freeing up staff resources for more enforcement of sidewalk parking.
- The Underhills Rd letter noted in the presentation was the outcome of months of negotiations with multiple City departments. It reflected a complicated balance of competing interests involving people with driveways and garages too small for their vehicles along a narrow street with a steep hill.
- The Underhills Rd letter was an agreement that also involved residents repairing their sidewalks at their expense and with keeping their foliage trimmed to keep clear the available sidewalk width.
- Please acknowledge the careful work that was done to develop the compromise that is memorialized in the Underhills Rd letter. A lot of thoughtful work went into it. Additionally, not all State laws make sense, so be careful with pursuing this issue simply as illegal behavior under State law.
- Citations are not a viable solution because there is not sufficient space for people to park their cars while still allowing vehicles – including service vehicles – to get through. Citations won't create space for people to park.
- The Lakeshore Homes neighborhood was designed in a specific way that doesn't allow for all uses to fit as they should. People in the neighborhood do walk and this is important to many people. Solutions should be specific to the contextual circumstances of the particular location.

Speakers other than commissioners: Michael Ford, Humberto Castro, John Brewer, Lisa Ray, Alan Gellman, Kevin Dalley, Lisa Dillon, Kim D, Jeff Bandy, Art May, Midori Tabata

- A motion to ***extend the meeting until 8:30pm*** was made (Campbell), seconded (Gardner), and approved by all Commissioners present.

## Item 7. Highway Safety Improvement Program (HSIP) Grant Cycle 11 OakDOT Applications

Julieth Ortiz and Ruth Meza, OakDOT Transportation Planners, shared an overview of the crash data-driven HSIP grant program and the current proposals to request funds to implement HSIP-eligible countermeasures that focus on intersection safety for pedestrians and bicyclists. The applications are due

September 12th. Following the overview of the grant program, Dean Hsiao, OakDOT Supervising Transportation Engineer, shared an overview of pedestrian signals and leading pedestrian intervals. The presentation slides were included in the meeting's agenda packet and an updated version of the presentation slides are attached to these minutes.

**Summary of Discussion:**

- Consider additional treatments as part of the RRFB project, like bulbouts. (OakDOT is planning to include additional treatments within the constraints of the HSIP program.)
- RRFBs are largely designed and understood as being for pedestrians. For them to work on neighborhood bike routes, RRFBs need to be reworked to serve bicyclists.
- Drivers should be informed that they must stop at the RRFBs when the yellow lights are flashing.
- The leading pedestrian interval (LPI) traffic signal timing is very important in downtown, but the pedestrian push buttons have no place in downtown.
- People with visual impairments use the sound of cars starting at a green light to know when to cross the street. With LPI, people with visual impairments will not know the LPI exists unless a detectable pedestrian push button is in place.
- OakDOT staff are working to finish the list of RRFB locations and the list can be shared with the BPAC. Commissioners can provide feedback by email, as the application is due before the September BPAC meeting.
- The BPAC Infrastructure Committee will meet in early September and this is an opportunity for discussing these applications in additional detail before the application deadline.
- Consider working with OakDOT's Rapid Response team to implement interim measures at HSIP locations in advance of the HSIP-funded improvements.
- Confirm that RRFBs designed for bicyclists are allowed with the HSIP funding. In the Shattuck Ave HSIP project, an RRFB planned for 59<sup>th</sup> St could not be designed for bicyclists due to restrictions associated with the federal funds.

Speakers other than commissioners: Robert Prinz, George Spies

**Item 8. Committee Report Back**

Committees of the BPAC provided brief updates to the Commission. A list of active committees was included in the agenda packet and at <https://www.oaklandca.gov/resources/bicyclist-and-pedestrian-advisory-commission-bpac-committees-and-liaisons>.

**Summary of Discussion:**

- Bicyclist Pedestrian Police Relations Committee: Commissioner Mangrum thanked Commissioner Frank for volunteering to be a co-chair of this committee. The committee meets the 2<sup>nd</sup> Thursday of the month, 6:00-8:00pm. They will be reaching out to OPD to get going again with joint bike rides involving OPD staff and community members.

Speakers other than commissioners: None

**Item 9. Three-month look-ahead, suggestions for meeting topics, announcements**

The three-month look-ahead was included in the meeting's agenda packet.

### *Suggestions for meeting topics*

- Commissioner Frank asked that the Power to the People project be scheduled for October or November.

### *Announcements*

- Chair Schader encouraged Commissioners to continue meeting with each other and participating in community events.
- See the announcements included in the meeting agenda packet.

Meeting adjourned at 8:28 pm.

### **Attachments**

- Presentation slides – Sidewalk Blocking
- Presentation slides - Highway Safety Improvement Program (HSIP) Grant Cycle 11 OakDOT Applications
- Resolution to Continue Teleconference Meetings

Minutes recorded by Jason Patton, Bicycle & Pedestrian Program Supervisor, emailed to meeting attendees for review on August 19, 2022, and adopted at the September 2022 meeting.

# Addressing Sidewalk Parking In Oakland

Bicyclist and Pedestrian Advisory Commission

8/18/2022

# AGENDA

— — —

1. Toward a Shared Understanding of the Problem
2. Background/Context
3. Next steps



# Toward a shared understanding of the Problem

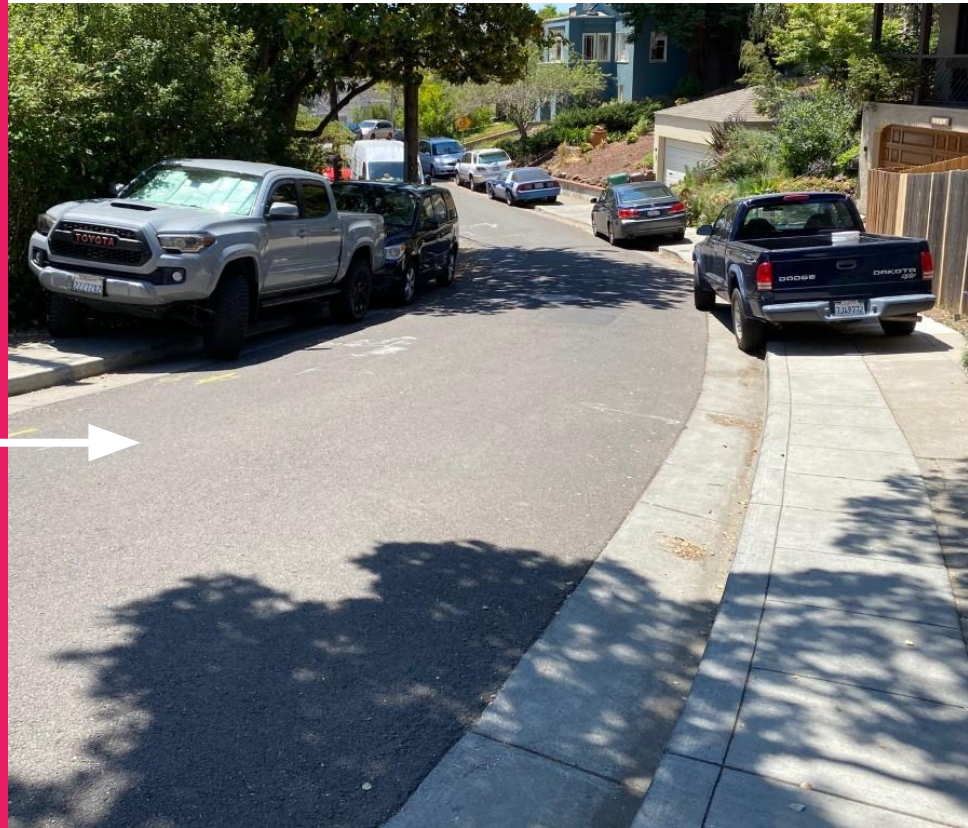


Image is a photo of Underhills Road in Oakland depicting many vehicles parked on the sidewalk

# Sidewalk parking

- Is illegal (even if sidewalk is not fully obstructed)
- Obstructs the public right-of-way, creating potential safety hazards
- Negatively affects all sidewalk users, but especially persons with disabilities, seniors, children and people with strollers
- Tends to occur more often on narrow streets
- May be increasing as vehicles get wider
- Parking in driveway while blocking sidewalk also illegal

# Sidewalk parking



Image is a photo of an SUV parked in a driveway, obstructing a sidewalk

# Background/Context

**Law, Memos, & Citation History**

# California Vehicle Code

**22500.** A person shall not stop, park, or leave standing any vehicle ... **(f)** On a portion of a sidewalk, or with the body of the vehicle extending over a portion of a sidewalk...

CITY OF OAKLAND



ONE FRANK H. OGAWA PLAZA • OAKLAND, CALIFORNIA 94612

August 26, 2004

Hand-delivered and by U.S. Mail

TO THE RESIDENTS OF UNDERHILLS ROAD

Dear Underhills Road residents,

We have reached an agreement that will allow residents of Underhills Road to continue to use both sides of the street for parking while preserving sidewalk access for Gregory Jurn.

The agreement is as follows:

1. Underhills residents are required to trim their vegetation to ensure that it does not encroach on sidewalk access. Hedges and other plantings may no longer protrude onto the sidewalk and residents must ensure careful and consistent trimming. The date for completion of trimming is September 12. Beginning on Monday, September 13, any resident who does not comply will be subject to receipt of an abatement notice from the City.
2. Underhills parking will be restricted as follows:

On the even side of the street, parkers shall maintain a **minimum of 36 inches** and a maximum of 48 inches for pedestrian access to the sidewalk. The City will investigate the feasibility of a wider sidewalk corridor in the future. In order to ensure that the minimum is consistently maintained, the City will use water-based paint and dashed lines on the sidewalk to indicate the 36-inch minimum space that parked cars must permit for sidewalk access. These minimally intrusive marking will be completed by September 30, 2004.

On the odd side of the street parkers must leave as much room for vehicles to pass as possible.

## 2004 Letter from City Attorney





Image is a photo of a vehicle parked on the sidewalk, next to an image of a letter from the City Attorney addressed to “Residents of Underhills Road”.

# Next Steps

# Next steps

1. Continue Citywide outreach
2. Conduct an equity analysis
3. Determine what operational street changes are necessary
4. Use enforcement to complement street changes

# Education and outreach

- Press release
- City Council informational report
- Letters to homes on narrow streets
- Visiting Neighborhood Service Council meetings
- Given limited staff resources, outreach needs to be targeted to streets where this is an issue

# NARROW LOCAL STREETS IN OAKLAND

- Local Street <25' Feet Wide

- Hillside Local Street <26' Feet Wide

Map of Oakland showing narrow local streets. The map is dark gray with street lines in light gray. Narrow local streets are highlighted in red and orange. A legend at the bottom left indicates: - Local Street <25' Feet Wide (red line) and - Hillside Local Street <26' Feet Wide (orange line). A north arrow is in the bottom right corner.

- # NARROW LOCAL STREETS IN OAKLAND
- 
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- Map of Oakland showing narrow local streets. The map is dark gray with street lines in light gray. Narrow local streets are highlighted in red and orange. A legend at the bottom left indicates: - Local Street <25' Feet Wide (red line) and - Hillside Local Street <26' Feet Wide (orange line). A north arrow is in the bottom right corner.

Image depicts a map of Oakland with narrow local streets highlighted in purple and narrow hillside streets highlighted in green

**NARROW LOCAL STREETS IN OAKLAND  
WITH SIDEWALK PARKING**

- Local Street <25' Feet Wide
- Hillside Local Street <26' Feet Wide

Map of Oakland, CA, showing narrow local streets with sidewalk parking. The map is dark gray with street names in white. Narrow streets are highlighted with dashed lines: purple for local streets <25' wide and green for hillside local streets <26' wide. The map includes the city grid, major roads, and the San Francisco Bay. A legend at the bottom left explains the color coding. A north arrow is in the bottom right corner.

- 
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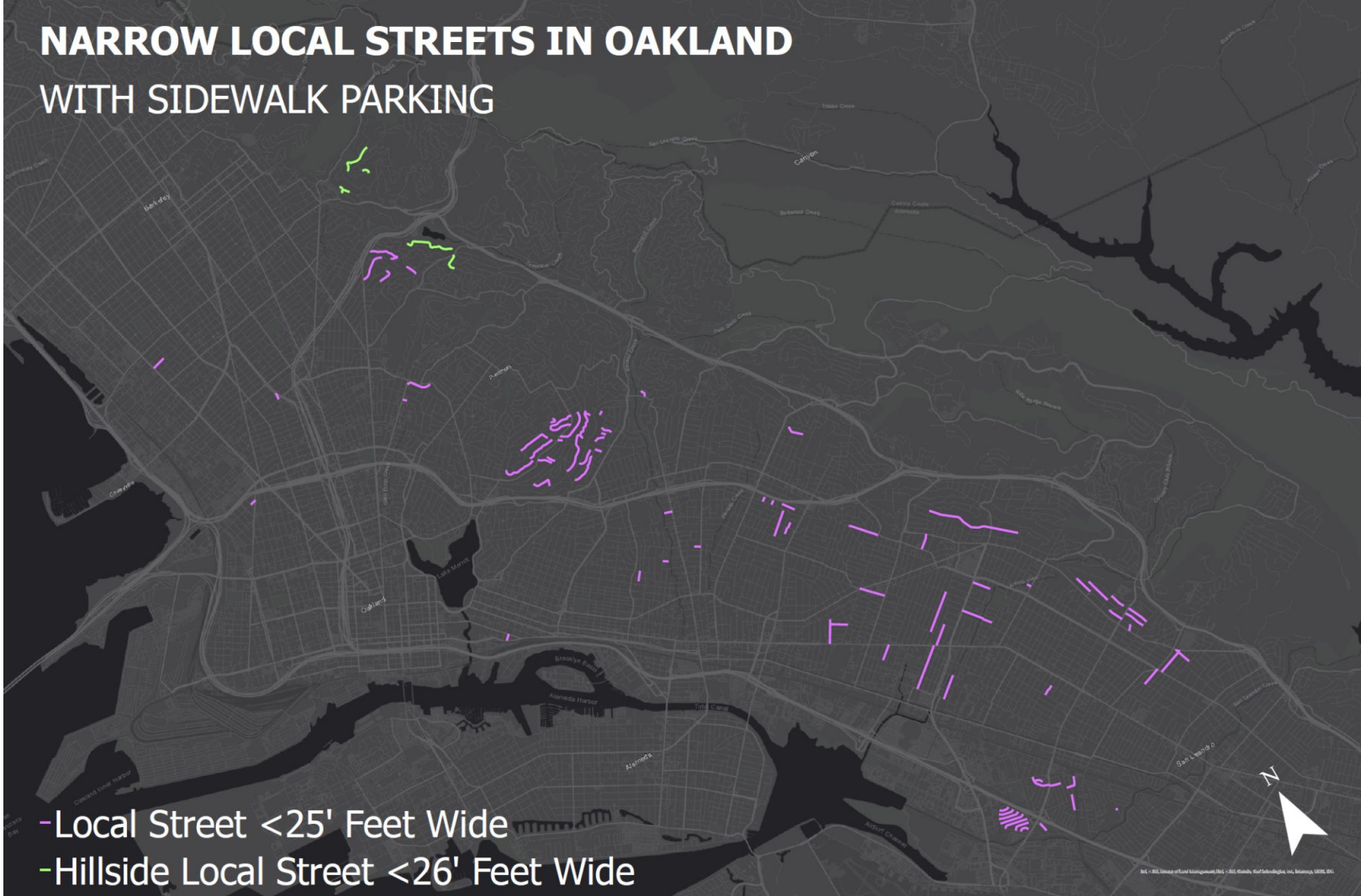


Image depicts a map of Oakland with narrow local streets that have a prevalence of sidewalk parking highlighted in purple and narrow hillside streets highlighted in green



# Street Changes

- Are the long-term solution but will take longer to install
- We'd want to hear from neighbors which they prefer:
  - Two-way to one-way conversion or
  - Restricting parking on one side

# Street Changes

Parking restricted on one side



Image depicts 61st street in Oakland  
where parking is restricted by red curb  
paint on one side of the street



# Street Changes

# One-way traffic



Image depicts Balfour Avenue in Oakland  
which is a narrow, one-way street

# Oakland Municipal Code

## **10.28.080 - Parking prohibited on narrow streets.**

A. The Traffic Engineer is authorized to place signs or markings indicating no parking upon any street when the width of the roadway does not exceed twenty (20) feet, or upon the side of a street as indicated by such signs or markings when the width of the roadway does not exceed thirty (30) feet.

B. When official signs or markings prohibiting parking are erected upon narrow streets as authorized herein, no person shall park a vehicle upon any such street in violation of any such sign or marking.

(Prior traffic code § 158)



# Citations

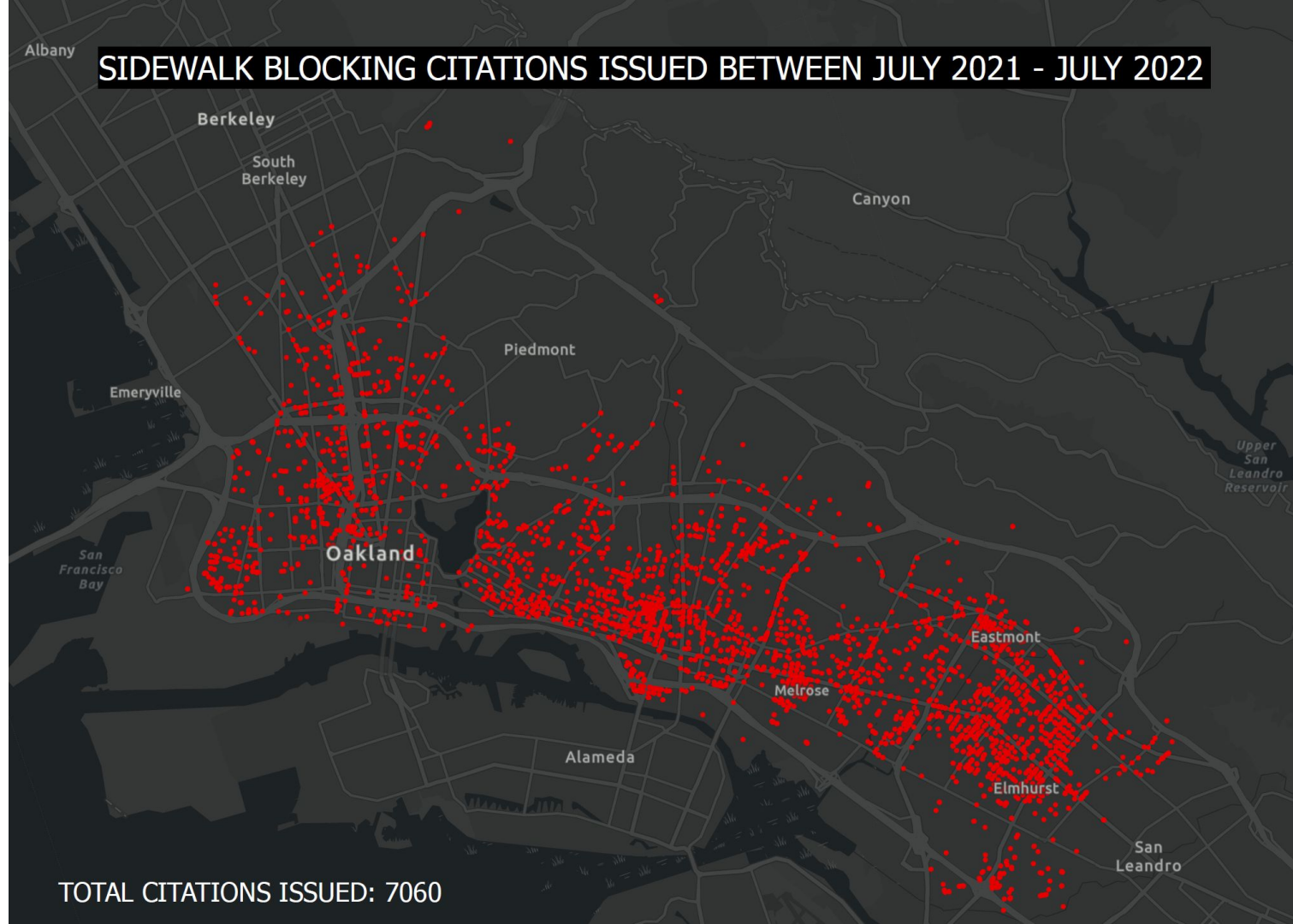
- Should be coordinated with outreach on streets where this hasn't been enforced consistently for a long time
- Parking Control Technicians may feel unsafe enforcing on certain streets
- Sidewalk parking can be reported via:
  - Oak311 (app or website)
  - Parking Enforcement at 510-238-3099 (Monday - Friday, 8am to 5pm)
  - Oakland Police Non-emergency at 510-777-3333 (All other times)

# Citations

	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022 (Jan-Aug)</b>
Bike Lane Blocking Citations (21211.B)	1,047	1,359	544	277
Sidewalk Blocking Citations (22500.F)	5,617	9,383	6,562	3,622
<b>Total</b>	6,664	10,742	7,106	3,899



# SIDEWALK BLOCKING CITATIONS ISSUED BETWEEN JULY 2021 - JULY 2022



TOTAL CITATIONS ISSUED: 7060

# Discussion

# Thank you

Questions? Email [kolsen@oaklandca.gov](mailto:kolsen@oaklandca.gov)

# Highway Safety Improvement (HSIP) Program



CITY OF OAKLAND  
Department of Transportation  
*Strategic Planning and Administration*

Ruth Meza & Julieth Ortiz  
Cycle 11 Update  
8/18/22

# Agenda

- HSIP Background
- HSIP to Date
- Upcoming Applications
- LPI to Date
- More Ped Signal Guidelines

# Background

## Countermeasures:

<https://dot.ca.gov/programs/safety-programs/proven-safety-countermeasures/countermeasures>

## Purpose

Reduce traffic fatalities/injuries

## Project Eligibility

Specific safety problems must be identified via a data-driven process

## Benefit Cost Ratio (BCR) function of

- Crash severity
- Number of crashes
- Countermeasure crash reduction factor

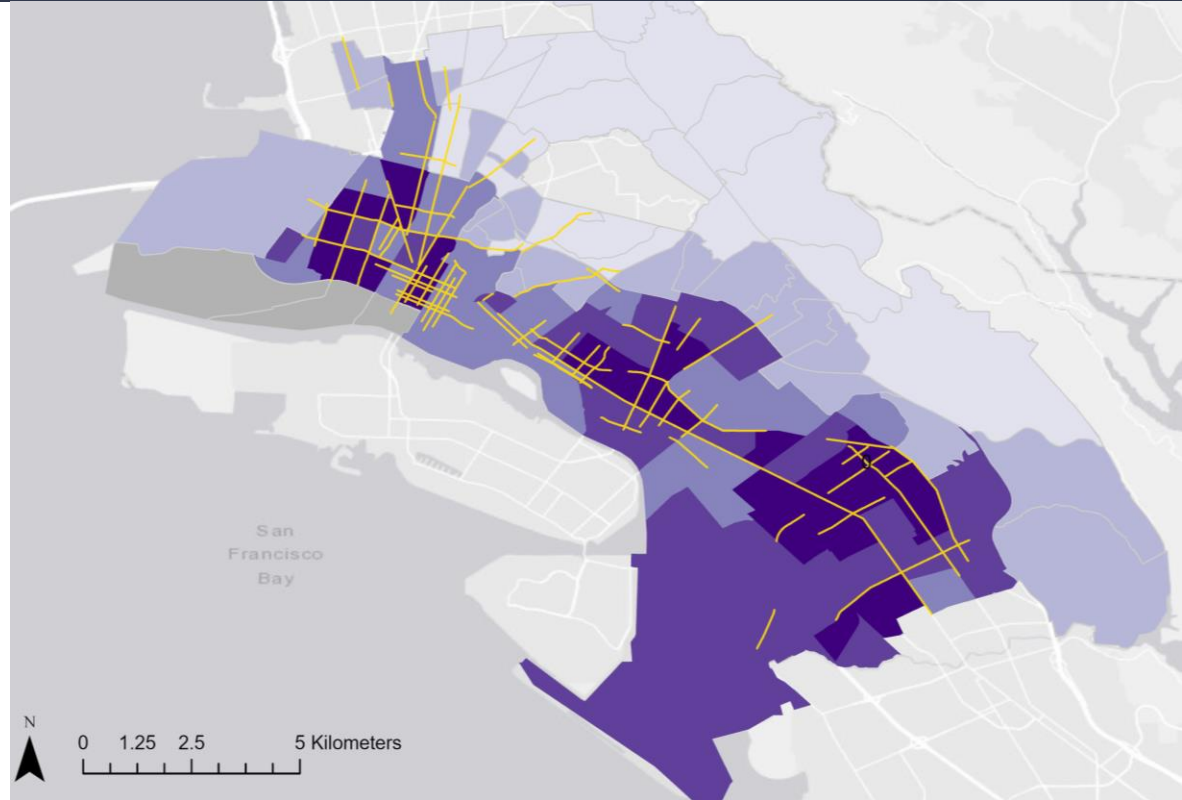
## Additional OakDOT Prioritization

- 5 YR Paving Plan
- High Injury Network
- Higher Priority Equity Neighborhoods

# Priority Neighborhoods Are Disproportionally Impacted by Severe/Fatal Crashes

**HIN = 6% of Oakland's Streets that account for 60% of severe and fatal crashes**

**95% of the HIN is in Medium to High Priority Equity Neighborhoods**



# \$27M in HSIP to Date

## Completed + Expected Completion Date

- HSIP 5: Market Street between 45th & Arlington (Completed)
- HSIP 6: Grand Ave Ped Safety (Completed)
- HSIP 7: Lake Merritt BART Area Ped Safety (Completed)
- HSIP 7: Market Street Improvements (4th-21st) (Completed)
- HSIP 7: Downtown Intersection Improvements (Completed)
- HSIP 7: Telegraph Ave Bike/Ped Improvements 29th to 45th (Fall 2022)
- HSIP 7: Shattuck and Claremont Ave. Bike/Ped Improvements (Spring 2023)
- HSIP 8 Bancroft (Winter 2023)
- HSIP 8 Fruitvale Ave Road Diet (Winter 2023)
- HSIP 8 35th Avenue (Completed)
- HSIP 8 High Street Improvements (Winter 2023)
- HSIP 8 Downtown Safety Improvements (Winter 2023)
- HSIP 8 Guardrails Oakland Hills (Winter 2023)
- HSIP 9 Foothill Blvd (Winter 2023)
- HSIP 9 RRFB / Pedestrian Crossing Enhancements (Winter 2024)
- HSIP 10 Systemic Crossing Improvements on Local Streets (Winter 2026)
- HSIP 10 98th Avenue Crossing Improvements (Winter 2026)
- HSIP 10 14th Street Pedestrian Crossing Improvements (Winter 2026)



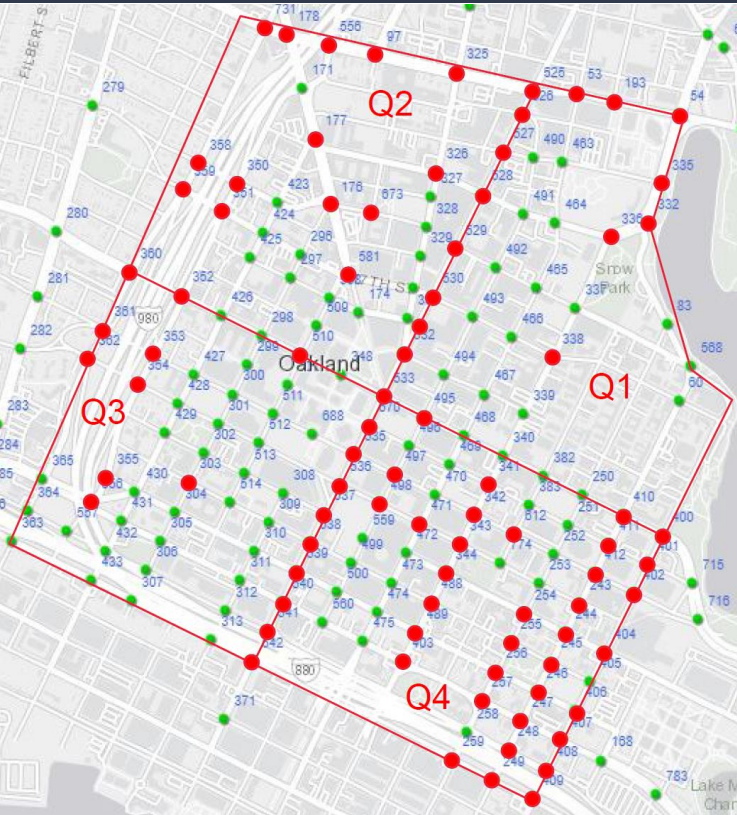
# HSIP 11: Safe Oakland Streets Leading Pedestrian Interval (LPI) Timing

## HSIP 11 – Application 1

- Add a 3 second head start for pedestrians and accessible pedestrian signals at existing signalized intersections:
  - With LPI-compatible signal controllers
  - With signal controllers to be upgraded to LPI-compatible
- Locations will be chosen based on HSIP criteria (benefit cost ratio) in addition to OakDOT's equity priority neighborhoods



# Leading Pedestrian Interval (LPI) Implementation To Date



## Downtown LPI

- 85 signals in the Downtown area were updated by January 2022 (red dots)
- LPI does not increase pedestrian signal timing but reduce vehicular signal timing in the same phase.

## Downtown LPI Phase II/HSIP 11 – In Response to BPAC/Community Feedback

- **When LPI is implemented without APS**, the Walk Interval reduced by the time provided for the LPI shall be enough for pedestrians to move into the crosswalk, as visually impaired pedestrians rely on the traffic or pedestrian surge to start crossing a street.
- Provide all-red clearance interval for the phase before the LPI phase.

# Pedestrian Signals and Leading Pedestrian Intervals

Dean Hsiao  
Supervising Transportation  
Engineer

## Public Rights-of-Way Accessibility Guidelines (PROWAG) APS Guidelines

- R209 Accessible Pedestrian Signals and Pedestrian Pushbuttons **communicate when to cross the street** using audible tones, speech messages, and vibrating surfaces.
- R209.1 General: Where pedestrian signals are provided at pedestrian street crossings, they shall include **accessible pedestrian signals and pedestrian pushbuttons**.
- R209.2 Alterations: Existing pedestrian signals shall comply with R209.1 when the signal controller and software are altered, or the signal head is replaced.
- APS can coincide with pedestrian recall to satisfy all the pedestrians' needs
- OakDOT is developing a citywide pedestrian recall policy

# HSIP 11: Safe Oakland Streets Major Bike and Pedestrian Crossings

## HSIP 11 - Application 2

- Add rectangular rapid flashing beacons (RRFBs) to uncontrolled intersections where neighborhood bike routes cross Collector and Arterial Streets
- Locations will be chosen based on HSIP criteria (benefit cost ratio) in addition to OakDOT's equity priority neighborhoods and nexus with 5-year paving plan



# Contact us.

**Julieth Ortiz & Ruth Meza** – Transportation Planners

[jortiz@oaklandca.gov](mailto:jortiz@oaklandca.gov); [rmeza@oaklandca.gov](mailto:rmeza@oaklandca.gov)

**Dean Hsiao** – Supervising Transportation Engineer

[dhsiao@oaklandca.gov](mailto:dhsiao@oaklandca.gov)

Thanks

# **OAKLAND BICYCLIST & PEDESTRIAN ADVISORY COMMISSION**

## **Meeting of August 18, 2022, Item #4**

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**ADOPT A RESOLUTION DETERMINING THAT CONDUCTING IN-PERSON MEETINGS OF THE BICYCLIST & PEDESTRIAN ADVISORY COMMISSION AND ITS COMMITTEES WOULD PRESENT IMMINENT RISKS TO ATTENDEES' HEALTH, AND ELECTING TO CONTINUE CONDUCTING MEETINGS USING TELECONFERENCING IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 54953(e), A PROVISION OF AB-361.**

**WHEREAS**, on March 4, 2020, Governor Gavin Newsom declared a state of emergency related to COVID-19, pursuant to Government Code Section 8625, and such declaration has not been lifted or rescinded. See <https://www.gov.ca.gov/wp-content/uploads/2020/03/3.4.20-Coronavirus-SOE-Proclamation.pdf>; and

**WHEREAS**, on March 9, 2020, the City Administrator in their capacity as the Director of the Emergency Operations Center (EOC), issued a proclamation of local emergency due to the spread of COVID-19 in Oakland, and on March 12, 2020, the City Council passed Resolution No. 88075 C.M.S. ratifying the proclamation of local emergency pursuant to Oakland Municipal Code (O.M.C.) section 8.50.050(C); and

**WHEREAS**, City Council Resolution No. 88075 remains in full force and effect to date; and

**WHEREAS**, the Centers for Disease Control (CDC) recommends physical distancing of at least six (6) feet whenever possible, avoiding crowds, and avoiding spaces that do not offer fresh air from the outdoors, particularly for people who are not fully vaccinated or who are at higher risk of getting very sick from COVID-19. See <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html>; and

**WHEREAS**, the CDC recommends that people who live with unvaccinated people avoid activities that make physical distancing hard. See <https://www.cdc.gov/coronavirus/2019-ncov/your-health/about-covid-19/caring-for-children/families.html>; and

**WHEREAS**, the CDC recommends that older adults limit in-person interactions as much as possible, particularly when indoors. See <https://www.cdc.gov/aging/covid19/covid19-older-adults.html>; and

**WHEREAS**, the CDC, the California Department of Public Health, and the Alameda County Public Health Department all recommend that people experiencing COVID-19 symptoms stay home. See <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/steps-when-sick.html>; and

**WHEREAS**, persons without symptoms may be able to spread the COVID-19 virus. See <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html>; and

**WHEREAS**, fully vaccinated persons who become infected with the COVID-19 Delta variant can spread the virus to others. See <https://www.cdc.gov/coronavirus/2019-ncov/vaccines/fully-vaccinated.html>; and

**WHEREAS**, the City's public-meeting facilities are indoor facilities that do not ensure circulation of fresh / outdoor air, particularly during periods of cold and/or rainy weather, and were not designed to ensure that attendees can remain six (6) feet apart; and

**WHEREAS**, holding in-person meetings would encourage community members to come to City facilities to participate in local government, and some of them would be at high risk of getting very sick from COVID-19 and/or would live with someone who is at high risk; and

**WHEREAS**, in-person meetings would tempt community members who are experiencing COVID-19 symptoms to leave their homes in order to come to City facilities and participate in local government; and

**WHEREAS**, attendees would use ride-share services and/or public transit to travel to in-person meetings, thereby putting them in close and prolonged contact with additional people outside of their households; and

**WHEREAS**, on October 21, 2021 the Bicyclist & Pedestrian Advisory Commission adopted a resolution determining that conducting in-person meetings would present imminent risks to attendees' health, and electing to continue conducting meetings using teleconferencing in accordance with California Government Code Section 54953(e), a provision of AB-361; now therefore be it:

**RESOLVED:** that the Bicyclist & Pedestrian Advisory Commission finds and determines that the foregoing recitals are true and correct and hereby adopts and incorporates them into this resolution; and be it

**FURTHER RESOLVED:** that, based on these determinations and consistent with federal, state and local health guidance, the Bicyclist & Pedestrian Advisory Commission renews its determination that conducting in-person meetings would pose imminent risks to the health of attendees; and be it

**FURTHER RESOLVED:** that the Bicyclist & Pedestrian Advisory Commission firmly believes that the community's health and safety and the community's right to participate in local government, are both critically important, and is committed to balancing the two by continuing to

use teleconferencing to conduct public meetings, in accordance with California Government Code Section 54953(e), a provision of AB-361; and be it

**FURTHER RESOLVED:** that the Bicyclist & Pedestrian Advisory Commission will renew these (or similar) findings at least every thirty (30) days in accordance with California Government Code section 54953(e) until the state of emergency related to COVID-19 has been lifted, or the Bicyclist & Pedestrian Advisory Commission finds that in-person meetings no longer pose imminent risks to the health of attendees, whichever occurs first.