



City of Oakland, Bicyclist & Pedestrian Advisory Commission
Minutes from the February 16, 2023 meeting
Teleconference

Meeting agenda at <https://cao-94612.s3.amazonaws.com/documents/February-2023-BPAC-Meeting-Agenda.pdf>.

Meeting called to order at 6:02 pm by BPAC Chair Dianne Yee.

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

At roll call, quorum was established with eight Commissioners present (X).

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

Introductions were made.

- Other attendees: Al, Amy, Robert Prinz, Bryan Culbertson, Cara Brody, Charlotte Hryse, Daniel from East Bay Bike Party, David Pene, Deborah Sosebee, Dee Vieira, Deepak Jagannath, Demetri P, Ellie Mead, George Spies, Imunique, Jennifer Taylor, Jesse, Jianting Zhao, Jimmy Jessup, Joe, Joe Wong, Kevin Dalley, Kristel Weaver-Schoeneman, L. Ray, Lloyd, Mary Ann, Mary Norton, Merry Beth Gong, Natalie Mall, Neal, Nick Lindsey, Pascal Hoffmann, purdyh, RB, Reid, Roger, Stephen Tu, Susan Shawl, Tom Holub, Trygve Ristroph, Vanessa
- Staff: Pierre Gerard, Kerby Olsen, Jason Patton, Michael Randolph, KTOP

Item 2. Open Forum / Public Comment

- Reid expressed his enthusiasm for Slow Streets and commented on the need for improved street design on Harold St and Montana St along I-580 in the Dimond District.
- Bryan Culbertson spoke to the recent assaults on bicyclists that occurred this past weekend. This Sunday there will be a solidarity ride meeting at 11:00am at West Oakland BART and rolling out at 1:00pm. The ride is organized by the Rollout Crew in partnership with East Bay Bike Party.
- George Spies encouraged elected officials and staff to participate in the ride and show solidarity.
- Neal expressed his concern for the assaults on bicyclists this past Thursday, Friday, and Saturday in which people in cars sought out bicyclists to try and knock them down by opening the cars' doors.
- Officer Filice with the Oakland Police Department (OPD) noted that the perpetrators are using stolen vehicles and doing other crimes with them as well. There are some models of vehicles (Kia, Hyundai) being stolen right now due to a defect in those cars' security. There is a trend of these

assaults on bicyclists. The cyberattack on the City of Oakland has slowed OPD's ability to respond. These assaults are being considered "assault with a deadly weapon."

- Dee Vieira asked if there is a way to go after the parents if the perpetrators are found to be juveniles. It may be challenging to bring civil suits against parents if the parents do not have financial means to pay a settlement.
- Ellie Mead noted she was a victim on Friday night and ended up with stitches. She asked that OPD make this investigation a priority. She is concerned that these incidents will happen again.
- Daniel explained he has helped organize East Bay Bike Party for about ten years and he was the ride leader for this past weekend's ride. He apologized to those who were hurt. He sought input on how to protect people on the streets as they continue their rides.
- Commissioner Frank noted that a trend is starting on Instagram and TikTok that is calling attention to these assaults. It would be good for OPD to request that social media companies shut this down so as not to encourage more incidents.
- When the stolen cars are recovered, an OPD technician will gather evidence from these vehicles because the vehicles were involved in violent crimes. This will help the investigation.
- Trygve Ristroph explained he was hit on Saturday on Shafter Ave. This incident was not related to East Bay Bike Party.
- RB asked if OPD officers receive training to understand how bicyclists behave on the street and the driver behaviors that are safety concerns for bicyclists. He was also interested in OPD-organized bike rides and having community groups partner with OPD and participate in these rides.
- Commissioner Mangrum noted that the BPAC's Police Relations Committee is working with OPD on organizing some rides in April.
- Robert Prinz with Bike East Bay is in communication with East Bay Bike Party and some of the victims to offer support in navigating the follow-up to these assaults. Robert also encouraged people to participate in positive events to counter the negativity, including participating in rides and supporting organizations that provide bicycle programming to youth.
- Neal noted that his wife was hit about a year ago in Alameda. The driver was stopped, the police responded quickly, and the incident had a positive outcome.

Item 3. Approval of meeting minutes

- A motion to ***adopt the Bicyclist & Pedestrian Advisory Commission meeting minutes from January 19, 2023*** was made (Campbell), seconded (Frank), and approved with a voice vote by all Commissioners present. Adopted minutes online at 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).

After February 28, 2023, when Governor Newsom rescinds California's declaration of a COVID-19 emergency, the Oakland City Council and all City Boards and Commissions subject to the Brown Act will no longer be able to invoke AB 361 to allow members of the bodies to participate in meetings via Zoom or other teleconference technology. To that end, effective March 1, 2023, pursuant to the Brown Act's pre-

existing, default requirements, all public meetings including those of the City's Boards and Commissions must be held in person and sitting Board or Commission members will be required to attend their meetings in person for meetings scheduled March 1 or later.

Initially, remote participation by members of the public (hybrid meetings) will not be permitted. Hybrid meetings will commence once the Commissions have established meeting procedures for hybrid meetings and resources are in place to provide equitable access to meeting participation. The City knows that virtual meetings have offered means of community participation that some community members will want to preserve or restore when in-person meetings take effect. The City is committed to providing the most equitable, compliant, and convenient access possible to Board and Commission meetings. However, we are in new circumstances – best practices for hybrid community participation are still emerging, and existing equipment, facilities, and staffing cannot accommodate hybrid meetings across the board at this time. The City will be developing solutions and welcomes input and ideas from Board and Commission members, constituents, and staff liaisons.

Summary of Discussion:

- Jason Patton, OakDOT staff to the BPAC, explained new information that was shared earlier in the day by the City Administrator's Office. The City is seeking to use Zoom in the near-term as a means for people to view in-person meetings from remote locations. This would require all Commissioners and staff to have web-enabled devices with cameras at the in-person meetings. People joining remotely would be able to view the meeting but not participate until a new model is worked out for hybrid meetings. OakDOT staff will be considering the practical challenges of having Commissioners and staff meet both in-person and simultaneously in a Zoom webinar.
 - Staff will be following up with Commissioners and participants on the practical details of returning to in-person meetings. For example, the question came up of good places to park bikes while attending the meeting. The parking garage in 250 Frank Ogawa Plaza (entrance from 16th St between Clay St and San Pablo Ave) has bike racks next to the garage attendant's booth. The attendant is on-site when the garage is open. Additionally, there are electronic bicycle lockers in Frank Ogawa Plaza at the corner of Broadway/14th St. A BikeLink card is required. There are also bike racks on Frank Ogawa Plaza around City Hall.
 - Currently Hearing Rooms 1 and 2 are set up to broadcast meetings. Hearing Rooms 3 and 4 are not. The BPAC has used Hearing Room 4 for many years for its more collegial set-up (e.g., chairs around a table and not theater-style seats). While Hearing Rooms 1 and 2 allow for broadcasting, no hearing rooms are currently set up to allow for remote meeting participation. The City Administration is working to address the equipment and staffing that would be needed to support hybrid meetings.
 - The BPAC should strive to support hybrid meetings to allow participation by people who are immuno-compromised and as a practical solution for people with busy schedules.
- 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 (Gardner), seconded (Lok), and adopted by roll call vote with the following Commissioners voting in favor: Campbell, Frank, Gardner, Ralston, Whipps, and Yee (unanimously by the Commissioners present).

The resolution is attached to these meeting minutes.

Speakers other than Commissioners: Jason Patton, Bryan Culbertson

Item 5. Recent Bicyclist and Pedestrian Fatal Traffic Crashes

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

- On Thursday, 1/26/23 at 6:49pm, a 46-year-old male bicyclist died on High St at the westbound I-580 on-ramp. The initial investigation indicates that the bicyclist fell and did not collide with a vehicle or a fixed object. (Note that the February BPAC agenda packet previously described this crash as a possible hit-and-run with a driver.)

Summary of Discussion:

- Regardless of the cause of the crash, it is a sad and tragic event. Working to reduce speeds will help reduce the chances of people being harmed. So much work is still needed in East Oakland, and freeway ramps are especially challenging locations.
- The Rapid Revolt group will hold a vigil on 2/24, 5:00-6:00pm at the site of the fatality: High St at the westbound I-580 on-ramp.
- Coordination can be complicated at freeway ramps where Caltrans right-of-way connects to City of Oakland right-of-way. While a right-of-way map should be consulted to determine the details, it is common for the sidewalk and the crosswalk at freeway ramps to be Oakland right-of-way.
- OakDOT is activating a rapid response to investigate the details of the crash and to determine if corrective measures could be implemented.
- OakDOT has a paving project in design for High St that includes safety improvements. Project information is at www.oaklandca.gov/projects/high-street.
- The High St project includes limited improvements at the crash location. Were more significant improvements at this location excluded due to issues with the Caltrans right-of-way?
- The crosswalk across Lakeshore Ave at Beacon St is a source of concern. The eastbound I-580 on-ramp on MacArthur Blvd/Lakeshore Ave is also challenging for pedestrians.

Speakers other than Commissioners: Natalie Mall, George Spies, Dee Vieira, Bryan Culbertson, RB, Joe

Item 6. IKE Smart City Kiosk and Coordinated Street Furniture Program

Michael Randolph, Transportation Planner II, and Kerby Olsen, Transportation Planner III, presented on new plans for the City's street furniture. The City's contract with Clear Channel Outdoor (CCO) to maintain and advertise on Oakland bus shelters will end this April. Staff are developing a request for proposals (RFP) for a long-term Coordinated Street Furniture Program to manage bus shelters, benches, trash bins, public toilets, and other street furniture. Staff anticipates that the RFP will be released in the spring. Additionally, Council instructed staff to enter into a franchise agreement with IKE Smart City (<https://www.ikesmartcity.com/>), a purveyor of digital informational kiosks.

Summary of Discussion:

- Ad benches found on sidewalks throughout town may be under the Clear Channel agreement. Benches without advertising are maintained by various groups depending on where they are

located (e.g., OakDOT, OPW for park benches, possibly business improvement districts or individual property owners at some locations).

- Consider the precedents with micro-mobility companies that had commitments to provide services in East Oakland and other priority neighborhoods, but then they didn't fully and consistently meet the requirements. Require the vendor to install the kiosks first in East Oakland and other priority neighborhoods.
- The kiosks will be taken in batches to City Council for approval. The equity requirement will be applied to each batch to help ensure the equity requirement is met at each phase of implementation.
- Public toilets would be very beneficial if they are well-maintained.
- Consider having the kiosks provide content in multiple languages. Examine how content in other languages is accessed to ensure that users can easily find language options.
- Look for opportunities to locate street furniture that simultaneously creates new pedestrian space. For example, street furniture in the street on 13th St between Broadway and Franklin St created more new space for pedestrians. Similarly, locations like slip turns could be closed to make space for new street furniture.
- A bus shelter with a smaller footprint is being developed to fit on bus boarding islands. This could create a conflict if this shelter design cannot support advertising (e.g., if it does not have walls). These shelters could be separate from those with advertising and supported by ad revenue from shelters with advertising. However, there may be an inclination to favor revenue-generating shelters and to discourage those without advertising.
- The request for proposals (RFP) includes all services that OakDOT is seeking to procure. Proposers have the option of deciding which services they are interested in bidding on (e.g., advertising, maintenance).

Speakers other than Commissioners: Robert Prinz

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

Item 7. Slow Streets Update

Jason Patton, Bicycle & Pedestrian Program Supervisor in OakDOT's Safe Streets Division, provided an update on developing permanent Slow Streets based on lessons learned from the temporary street closures during the first two years of the Covid-19 pandemic. Slow Streets are envisioned to support travel at human-powered speeds and provide public spaces as community resources in Oakland's neighborhoods. See www.oaklandca.gov/projects/oakland-slow-streets for more information, tonight's presentation slides, and to sign up for a contact list to receive updates.

Summary of Discussion:

- The streets identified as existing or proposed Neighborhood Bike Routes may already be safer than other streets (e.g., more major streets). These other streets may be in greater need of traffic calming to slow motor vehicle speeds.
- OakDOT is working to implement traffic calming treatments on the 50 miles of streets that are designated as Neighborhood Bike Routes and included in the City's Five Year Paving Plan. Planning is underway to identify these improvements and integrate them into upcoming paving projects.

This is a significantly different approach than a typical “project” which may work on a half-mile or one mile of roadway at a time.

- Successful Slow Streets will be those that can encourage vulnerable populations onto the street for recreation. It’s important to create both the street-level physical conditions and the situational awareness of motor vehicle drivers that allows for play.
- Roadway classifications by the Federal Highway Administration (FHWA) designate numerous collector roadways in Oakland that could be reclassified as local streets. These classifications likely inform motor vehicle routing through app-based navigation aids.

→ A motion to ***extend the meeting until 9:00pm*** was made (Yee), seconded (Whipps), and approved by voice vote by all Commissioners present.

- Barriers or diverters will likely divert motor vehicle traffic to surrounding streets. This has been a source of concern for residents on nearby streets. Addressing those concerns will entail additional planning and treatments for those nearby streets.
- The Neighborhood Bike Route Implementation Guide includes a monitoring component to measure motor vehicle traffic volumes and speeds. If these volumes and speeds are above the targets for a Neighborhood Bike Route, then more work would be needed.
- The conversation about Neighborhood Bike Routes and Slow Streets began at least three years ago with a discussion on Bike Boulevard design guidelines. The implementation of Neighborhood Bike Routes and Slow Streets will help these street treatments evolve as they are evaluated over time.
- Thanks to the BPAC Infrastructure Committee for its contributions to these efforts over the past several years.
- OakDOT staff are proposing a target (design) speed of 15 miles per hour on Slow Streets. This means that Slow Streets should be designed for travel at 15 miles per hour or less.

→ A motion to ***extend the meeting until 9:20pm*** was made (Yee), seconded (Gardner), and approved by voice vote by all Commissioners present.

- In advancing Slow Streets, the immediate priority of OakDOT staff is keeping up with the Paving Plan’s implementation to take advantage of the opportunity to add traffic calming treatments when streets are paved. This near-term work is based on the 2019 Bicycle Plan and the previously adopted Neighborhood Bike Route Implementation Guide.

Speakers other than Commissioners: George Spies, Neal, James Breeden, Robert Prinz, Bryan Culbertson, Dee Vieira, Joe

Item 8. BPAC Strategic Planning Check-In

The Commission discussed whether to set aside time at a future BPAC meeting to update the Strategic Plan, last updated at a special meeting of the BPAC in March 2022. Chair Yee asked the Commissioners to look over the goals and tasks and see if they think a new strategic planning exercise would be beneficial. Email Chair Yee by Friday, 2/24, with your input.

Speakers other than Commissioners: None.

Item 9. 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 noted they are working to plan a ride with OPD for April.
- Infrastructure Committee: Commissioner Ralston noted he will be working with Co-Chair Robert Prinz to get items on the agenda that are large-scale and visionary, like the General Plan, access to the East Oakland waterfront, and opportunities in the I-580 corridor.

Speakers other than Commissioners: None

Item 10. 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

- OakDOT's criteria for traffic calming, including the Speed Hump Program (suggested by Commissioner Gardner)
- Update on the assaults on bicyclists (suggested by Commissioner Whipps)

Announcements

- See announcements in the meeting's agenda packet. No additional announcements were made at the meeting.

Meeting adjourned at 9:15 pm.

Attachments

- Resolution to Continue Teleconference Meetings

Minutes recorded by Jason Patton, Bicycle & Pedestrian Program Supervisor, emailed to meeting attendees for review on 3/1/23 with comments requested by 3/8/23 to PGerard@oaklandca.gov. Revised minutes were attached to the April 2023 meeting agenda and adopted at that meeting.

OAKLAND BICYCLIST & PEDESTRIAN ADVISORY COMMISSION

Meeting of February 16th, 2022, Item #4

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.