

**City of Oakland**  
Mayor's Commission on Persons with Disabilities (MCPD)  
Monday, August 16, 2021  
5:30 p.m.-7:30 p.m. via Zoom Conference

Pursuant to the Governor's Executive Order N-29-20, no teleconference locations are required. All participants will join the meeting via phone/video conference.

---

**ZOOM VIDEO/PHONE MEETING DETAILS**

For best results, please install the most recent version of the Zoom application; see [zoom.us](https://zoom.us).

**ZOOM MEETING ID:** 875 1488 9205

*JOIN MEETING*

By **video**: go to <https://us06web.zoom.us/j/87514889205> open the meeting on a computer or smart phone at or before 5:30pm.

By **phone**: dial (408) 638-0968 at 5:30pm. (For international numbers, go to: <https://zoom.us/u/aWeTt9geS>.)

*COMMENT DURING MEETING*

By **video**: click the "Raise Your Hand" button to request to speak when Public Comment is being taken on an eligible agenda item. You will be permitted to speak during your turn, allowed to comment, and after the allotted time, muted. Instructions on how to "Raise Your Hand" are available at <https://support.zoom.us/hc/en-us/articles/205566129>.

By **phone**: press \*9 to "Raise Your Hand" to speak when Public Comment is taken. You will be permitted to speak during your turn, allowed to comment, and after the allotted time, muted. Please unmute yourself by pressing \*6.

If you have any questions, please email Karen Denicore, staff liaison to the commission at [kdenicore@oaklandca.gov](mailto:kdenicore@oaklandca.gov).

**MCPD Webpage:** [www.oaklandca.gov/boards-commissions/mayorscommission-on-persons-with-disabilities](http://www.oaklandca.gov/boards-commissions/mayorscommission-on-persons-with-disabilities)

**Subscribe to MCPD's mailing list:**  
[oaklandca19202.activehosted.com/f/100](http://oaklandca19202.activehosted.com/f/100)

**Commissioners:** Noah Smith (Chair), Thomas Gregory (Vice Chair), Cathy Eberhardt, Marjorie Lynne, Karen Nakamura, Frank Sperling, and Howard Tevelson

**Commission staff:** Anh Nguyen, ADA Programs Division Manager; Karen Denicore, ADA Program Analyst I

---

## **Agenda**

- 5:30 1. Teleconference Protocol, Roll Call/Determination of Quorum
- 5:40 2. Open Forum  
Any person may directly address the Commission on any items within the jurisdiction of this Commission not on the agenda for today. Speakers wishing to address a specific item on the agenda may do so at the time the item is being considered.
- 5:50 3. Agenda Modification  
MCPD Commissioners may move around the agenda items to better conduct the meeting.
- 4. Approval of July 2021 Minutes (**Exhibit A**)
- 6:00 5. Commissioner's Announcements  
Commissioners will provide brief updates and announcements (no discussion at this time).
- 6:20 6. Discuss and Vote Ad Hoc Committee Proposal

*At the July meeting, the motion to create an ad hoc committee, made up of Chair Smith and Commissioner Sperling, to work with staff to identify potential ad hoc or standing committees that would help further the charter and mission of MCPD and*

*return to the full commission with their recommendations was made and seconded, but was not voted on.*

*A discussion on the role of liaison to other commissions was tabled after a motion was made and seconded to have it also considered by the ad hoc committee proposed to identify potential ad hoc or standing committees, was not voted on.*

6:30 7. Discussion on 2021 Retreat and September Meeting

*The yearly retreat for MCPD is on the calendar for September. Should MCPD plan for an in person retreat (TBA on a Saturday) or a regular virtual meeting on Monday, September 20<sup>th</sup>.*

6:40 8. Staff Updates and Announcements  
Anh Nguyen, ADA Programs Division Manager

6:50 9. Future Agenda Items  
Staff will briefly update on agenda items confirmed for upcoming meetings.

See MCPD scheduler at [tinyurl.com/MCPD-AgendaPlanner](https://tinyurl.com/MCPD-AgendaPlanner).  
Suggestions for future agenda items are also welcome.

7:00 10. Adjournment  
(Meeting shall end no later than 7:30 p.m., unless extended by majority vote of the Commission.)

Note: The Commission May Take Action on Any Item on the Agenda

Agenda item start times are approximate and are provided as a courtesy guide only. Timing and order of items may change as part of Agenda Modification and Approval and/or as needed based on staff and time availability during the course of the meeting.



This meeting location is wheelchair accessible. To request disability-related accommodations or to request American Sign Language (ASL), Cantonese, Mandarin, or Spanish language interpreter, please email [adaprograms@oaklandca.gov](mailto:adaprograms@oaklandca.gov) or call (510) 238-5219 (V) or 711 (California Relay Service) at least five (5) business days before the meeting. Please refrain from wearing scented products to this meeting as a courtesy to attendees with chemical sensitivities.

Esta reunión es accesible para sillas de ruedas. Si desea solicitar adaptaciones relacionadas con discapacidades, o para pedir un intérprete de en español, Cantonese, mandarín o de lenguaje de señas (ASL) por favor envíe un correo electrónico a [adaprograms@oaklandca.gov](mailto:adaprograms@oaklandca.gov) o llame al (510) 238-5219 (V) o al 711 para servicio de retransmisión (Relay service) por lo menos cinco días hábiles antes de la reunión. Se le pide de favor que no use perfumes a esta reunión como cortesía para los que tienen sensibilidad a los productos químicos. Gracias.

會場有適合輪椅出入設施。需要殘障輔助設施, 手語, 西班牙語, 粵語或國語翻譯服務, 請在會議前五個工作天電郵 [adaprograms@oaklandca.gov](mailto:adaprograms@oaklandca.gov) 或致電 (510) 238-5219 或 711 (電話傳達服務)。請避免塗搽香氛產品, 參加者可能對化學成分敏感。

## July 2021 Minutes attachment; Updates and Announcements

### Communities of Oakland Respond to Emergencies [CORE Program]

[Communities of Oakland Respond to Emergencies \(CORE\)](#) is a free emergency preparedness and response training program of the Oakland Fire Department. CORE provides free emergency preparedness training for individuals, neighborhood groups and community-based organizations in Oakland.

The CORE program's mission is to create a culture of preparedness by developing a community that is ready and willing to respond to any potential hazards that may impact the City of Oakland.

[City of Oakland | Ready Oakland \(oaklandca.gov\)](#)

### **Calls to Action: Become a Disaster Service Worker Volunteer!**

A Disaster Service Worker Volunteer [DSW-V] is a person who is trained to support specific disaster response activities. The CORE program is how the Oakland Emergency Services Management Division [EMSD] recruits and develops DSW Volunteers who are interested in joining City Staff in support of an emergency response.

Affiliated CORE program DSW Volunteers support professional first responders by training to become:

- A CORE Program Community Ambassador
- Emergency Respite Center Staff
- An Emergency Preparedness & Response Training Aide
- A DSW-V Mentor/Liaison
- An Emergency Operations Center [EOC] Aide

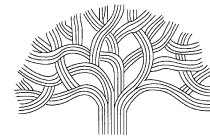
Email [CORE@oaklandca.gov](mailto:CORE@oaklandca.gov) to learn about current volunteer opportunities and the training required.

### **AB 339: Amendment to the Brown Act (CA Government Code Section 54950)**

Existing law, the [Ralph M. Brown Act](#), requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are

defined, be open and public and that all persons be permitted to attend and participate. During the pandemic, meetings were allowed to continue virtually, as long as the public was provided full access, until the end of September 2021. An assembly bill ([AB 339](#)), currently in the Senate Appropriations Committee, would require that in person public meetings that have been livestreamed continue to be livestreamed when they return to meeting in person. In addition, the public must be provided with an opportunity to comment on proposed legislation via a two-way telephonic or internet-based service option. The opportunity for the members of the public participating via a two-way telephonic or internet-based option to comment on agenda items with the same time allotment as a person attending a meeting in person must be assured.

The proposed changes are to remain in effect only until December 31, 2023, and as of that date are repealed. For a full history and analysis of the bill, check here: [AB-339 Local government: open and public meetings](#).



**City of Oakland**  
Mayor's Commission on Persons with Disabilities (MCPD)  
Monday, July 19, 2021  
5:30 p.m.-7:30 p.m. via Zoom Conference  
DRAFT Minutes

**NOTE:** Approved minutes and video recordings are posted at <https://www.oaklandca.gov/boards-commissions/mayors-commission-on-persons-with-disabilities/meetings>

**Commissioners:** Noah Smith (Chair), Thomas Gregory (Vice Chair), Cathy Eberhardt, Marjorie Lynne, Karen Nakamura, Frank Sperling, and Howard Tevelson

**Commission staff:** Anh Nguyen, ADA Programs Division Manager; Karen Denicore, ADA Program Analyst,

**Presenters:** Richard Luna, Brianna Horton, Jessica Feil

**Other attendees (from webinar Attendee list):** Ofurhe Igbinedion, Chonita Chew/USOAC, Alison Flower, Molly Bloom, Sheela Gunn-Cushman, Helen Walsh, Leonard Moore, Madlynn Johnson

1. Meeting called to order by Chair Smith at 5:32 PM. At roll call, quorum was established with six of seven commissioners present (x) and one commissioner absent.

Commissioners	Present (x)
Noah Smith (Chair)	x
Thomas Gregory (Vice-Chair)	x
Cathy Eberhardt	x
Marjorie Lynne	x
Karen Nakamura	absent
Frank Sperling	x
Howard Tevelson	x

2. Open Forum

- Sheela Gunn-Cushman described the lack of safe and accessible locations for pick up and drop off at the Kaiser hospital building, currently the only location with a pharmacy. The excessive noise at the MacArthur Bart station makes the shuttles from there to Kaiser inaccessible to her. She also would like the webinar host to switch to Zoom presenter view for attendees.

## **EXHIBIT A**

3. Agenda unanimously approved with a motion from Commissioner Sperling and a second from Commissioner Tevelson.
4. June 2021 Minutes unanimously approved with a motion from Commissioner Gregory and a second from Commissioner Eberhardt.
5. Commissioner's Announcements / Commission Chair Smith reports:
  - Commissioner Tevelson drafted a letter to the police commission with feedback from other commissioners and sent it to the police commission and the city council. Commissioner Tevelson has received an auto-reply from council president Nikki Fortunato Bas and a response from the chair of the police commission stating that she will be looking in to the issues raised.
  - MCPD forwarded a letter to support the OakDOT proposal to remove the protected bike lane on Telegraph Avenue from 20<sup>th</sup> to 29<sup>th</sup> Street and replace it with enhanced buffered bike lanes but the City Council voted to keep the protected bike lanes.
  - Commission Reid Davenport has moved out of Oakland and resigned from MCPD.
6. Discussion on the future of MCPD Virtual Meetings

***Action Item: Chair Smith will compose a letter to local state representatives expressing MCPD concerns about the reimplementation of the Brown Act when the current Governors Emergency Orders expire at the end of September.***

Commission Vice Chair Gregory summarized the current situation:

- As it stands the Governors Emergency Orders require that we continue the virtual meetings until the end of September.
- On October 1st we revert back to the Brown Act and no virtual meetings will be allowed.
- Virtual participation from the public will be allowed but will require a quorum of commissioners present together in a physical location accessible to the public.
- There is currently a CA State Assembly Bill (AB 339) proposing changes to the Brown Act.



## **EXHIBIT A**

- Richard Luna from the Office of the City Administrator verified this information and provided a summary document of the proposed amendment to Gov. Code Section 54953.
- The amendment does not change the requirement for a quorum of commissioners to meet in person in a physically accessible location to the public. The amendment does require additional options for virtual participation.
- The City of Oakland is currently working to upgrade council chambers and meeting rooms to a hybrid meeting environment with virtual access for the community.
- Commissioners and attendees expressed concerns about the requirement of an in person quorum in light of the pandemic, noting the vulnerability of commissioners and PWDs who may have immune vulnerabilities. Even fully vaccinated persons who require immunosuppressants may not have full protection.
- Chair Smith asked if this issue had come up in the discussion regarding AB 339 and how the concerns of the commission about the Brown Act requirement to return to in person meetings can be addressed.
- Richard Luna recommended that MCPD contact local state officials with recommendations on the assembly bill and updates or changes to the Brown Act requirements.
- Vice Chair Gregory motioned that the Chair write a letter and was seconded by Commissioner Eberhardt and approved unanimously.

### **7. Emergency Management Services Division (EMSD)**

- Jessica Feil, EMSD Manager, introduced herself her team and walked through the Oakland Fire Department (OFD) website where information about EMSD can be accessed.
- Brianna Horton, Emergency Planning Coordinator and CORE Program Manager, introduced the Communities of Oakland Respond to Emergencies (CORE) Program, free emergency preparedness training for individuals, neighborhood groups and community based organizations in Oakland.
- The CORE Program has been revamped and is being reintroduced with the goal of expanding the audience. Multiple types of Emergency Response

## **EXHIBIT A**

training have been added and prior basic curriculum updated, The CORE Program site is always kept current.

- The CORE website features information links to Emergency Mass Notifications (Stay Informed!), Evacuation Info (Know Your Zone!), and Disaster Service Working Volunteer opportunities (Volunteer!).
- Community Emergency Response Team (CERT) Training is offered 4 times per year and the next session starts September 1st. There is currently a waitlist. The curriculum is virtual and then once it is completed there is an person testing to practice skills.
- There is a place for everyone in CERT!
- Attendees expressed that they had past experiences attempting to volunteer for DSW positions and found organizers completely unprepared to have PWDs volunteer. PWDs would like to represent and should also have leadership roles and responsibilities beyond playing the “disabled victim” in disaster response drills, although it is good to prepare to assist injured PWDs. A program that relies so heavily on volunteers should take care not to alienate seniors and PWDs who would like to offer their services.
- Map applications present difficulties for vision impairments, can evacuation information also offer maps with clear boundaries? Color coding can also be a problem for individuals with color blindness. Jessica Feil describes that the evacuation information does include word documents and that the site is also WCAG compliant.
- Commissioner Gregory asked about accessible transportation to shelters in the event of emergencies and any contracts in place to provide this. Jessica Feil referred back to the Emergency Operations Plan (EOP) and explained the Essential Service Functions (ESFs) and that there is a partnership with AC Transit and other transportation providers in the community.
- Resilience Hubs are being planned for East, West, and Downtown Oakland to provide essential resources including power, air conditioning, air filtration, and ADA accessible locations and services.

## 8. Strategic Plan Assignments for 2021 Targeted Goals

## **EXHIBIT A**

- ADA Staff and Commissioners reviewed and confirmed Commissioner responsibility and assignments specific to each targeted goal.
- Commissioner Tevelson
  - 1.1 MCPD will continue to provide input and monitor OPD policies and procedures concerning PWD to include Domain 37 training and CIT.
- Commissioner Lynne and Commissioner Nakamura
  - 1.2 MCPD will advocate for improved safety services for the disability community and the community in general in the face of emergencies and natural disasters. Increasingly poor air quality and the need for clean air refuges is a specific concern and a permanent issue going forward. Accessible shelters and transportation to them are critical to community safety.
- Commissioner Sperling and Commissioner Tevelson
  - 2.1 MCPD will provide input to the City regarding Oakland's ongoing development and implementation of its ADA Transition Plan. The commission will continue to recommend to the City Council, City staff, and the Mayor's Office the need to maintain and enhance the effectiveness of the ADA division by restoring and adding funding for services and programs. It is also critical that the ADA Programs Division have a more autonomous position within the City department hierarchy to better monitor the ADA Transition Plan progress and assist City Departments with recommendations to meet their individual compliance requirements.
- Commission Vice Chair Gregory
  - 3.1 Advocate to ensure the accessibility and affordability of housing in Oakland.
- Commission Chair Smith and Commissioner Eberhardt
  - 3.2 Whereas the MCPD recognizes a high prevalence of homeless individuals living in Oakland are also PWDs, often disconnected from services, and whereas the MCPD recognizes a responsibility to represent the voices of all PWDs living in the city, the MCPD will collaborate with official activities and initiatives addressing homelessness in the city, with the objective to improve conditions for and/or reduce the number of PWDs who are homeless in Oakland.
- Commission Chair Smith and Commissioner Lynne

## **EXHIBIT A**

3.3 Renter's Rights: Ensure Oakland renters with disabilities have access to the same financial and/or civic benefits afforded to Oakland homeowners with disabilities.

### 9. MCPD Subcommittees and Commission Liaisons

***Action Items: Staff will contact CAO and /or PEC staff for further clarification with committee definitions and requirements under the Brown Act.***

***The discussion of commission liaisons is tabled to a future meeting.***

***The motion from Frank Sperling to create an ad hoc committee to work with staff to identify potential ad hocs or standing committees that would help further the charter and mission of MCPD and to include the consideration of potential liaison positions in the role of that committee needs to be moved forward and voted on if there is an interest in having this ad hoc created.***

- ADA Staff and Commissioners discussed the recent history of MCPD Subcommittees and ADA staff proposed potential new liaison roles to the Bicycle and Pedestrians Advisory Commission (BPAC) and Mayor's Commission on Aging (MCOA).
- Commissioners expressed that Policing and Violence prevention was not a committee and that the ad hoc committee to write the letter for Complete Streets Telegraph 20<sup>th</sup> to 29<sup>th</sup> Street is over.
- Commissioners stated that all of the other committee descriptions and the staff proposed Policy and Logistics committee are not ad hoc but standing committees by definition.
- Anh Nguyen will reach out to CAO and/or PEC staff for further clarity on this issue.
- Per the MCPD ordinance, city council approval must be obtained prior to the creation of an additional standing committee. A proposal must include an associated fiscal analysis.
- Chair Smith expressed that it did not seem logical to associate committees with strategic goals because not all goals had committees and the presentation was confusing. Different activities have been grouped together and presented in a way that does not make sense.

## **EXHIBIT A**

- Frank Sperling twice suggested creating an ad hoc committee to work with staff to identify potential ad hocs or standing committees that would help further the charter and mission of MCPD and return to the full commission with their recommendations. Chair Smith and Commissioner Sperling volunteered. He made a motion and it was seconded but the full commission forgot to vote on it.
- Helen Walsh observed that establishing committees was putting a band-aid on issues to deal with a lack of adequate staffing and that there needs to be a better way to assure that seniors and PWDs have a place at the table.
- Sheela Gunn-Smith expressed her concern that the commission did not feel that it could establish a standing committee.
- ADA staff proposed potential new Bicycle and Pedestrians Advisory Commission (BPAC) and Mayor's Commission on Aging (MCOA) Liaison roles.
- Commissioners expressed that these seemed to be appropriate but when a request for a motion was made and seconded, concerns were expressed about the roles.
- A request to approve two new liaisons was stopped by Commissioner Sperling who felt that there needed to be more of a thought process and made a motion that his suggested ad hoc to consider subcommittees with Chair Smith also consider the liaison roles. Chair Smith seconded this motion. The full commission forgot to vote on it.
- Commissioner Tevelson expressed further concerns about the liaison role and made a motion to table the discussion. The motion was seconded by Vice Chair Gregory and unanimously approved by the commission

### 10. Staff Updates and Announcements

***Action Item: Anh Nguyen will verify the appropriateness of a straw poll before sending any out.***

## **EXHIBIT A**

- Anh Nguyen, ADA Programs Division Manager, commented to the Commissioners that staff would send a straw poll about their interest in having the yearly MCPD retreat in light of the current public health situation.
- Commissioner Sperling stated that it may not be allowed and Anh Nguyen agreed to follow up with PEC staff for clarification

### Future Agenda Items

- See MCPD scheduler at [tinyurl.com/MCPD-AgendaPlanner](http://tinyurl.com/MCPD-AgendaPlanner). Suggestions for future agenda items are also welcome.

### 11. Adjournment

- Meeting was adjourned at 7:37 p.m. after two extensions were approved by the commission.