

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

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.

ZOOM MEETING ID: 953 6184 4672
JOIN MEETING

By **video**: go to <https://zoom.us/j/95361844672> to 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.

MCPD Webpage: www.oaklandca.gov/boards-commissions/mayorscommission-on-persons-with-disabilities

Subscribe to MCPD's mailing list:
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 June 2021 Minutes (**Exhibit A**)

6:00 5. Commissioner's Announcements
Commissioners will provide brief updates and announcements (no discussion at this time).

6:05 6. Discussion on the future of MCPD Virtual Meetings
Commission Vice Chair Gregory

Richard Luna from the Office of the City Administrator will be available to answer questions about the status of legislation (the Brown Act) and the Governor's emergency order regarding meeting locations for legislative bodies.

- 6:15 7. Oakland Fire Department (OFD)
Emergency Management Services Division (EMSD)

Brianna Horton and Jessica Feil from EMSD will present an overview of EMSD, describe plans and updates for Oakland's Local Hazard Mitigation Plan (LHMP) and Emergency Operations Plan (EOP), and introduce the Communities of Oakland Respond to Emergencies (CORE) Program.
(Exhibit B)

- 6:40 8. Strategic Plan Assignments for 2021 Targeted Goals

ADA Staff and Commissioners will clarify Commissioner responsibility and assignments specific to each targeted goal.
(Exhibit C)

- 6:55 9. MCPD Subcommittees and Commission Liaisons

ADA Staff and Commissioners will review the status of MCPD Ad Hoc Subcommittees and discuss proposed new Policy and Logistics committee and Bicycle and Pedestrians Advisory Commission (BPAC) and Mayor's Commission on Aging (MCOA) Liaison roles. **(Exhibit D)**

- 7:15 10. Staff Updates and Announcements
Anh Nguyen, ADA Programs Division Manager

Future Agenda Items
Staff will briefly update on agenda items confirmed for upcoming meetings.

See MCPD scheduler at tinyurl.com/MCPD-AgendaPlanner.
Suggestions for future agenda items are also welcome.

- 7:30 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

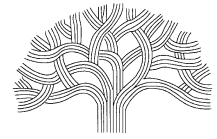
Agenda item start times are approximate and are provided as a courtesy guide only. Timing and order of items may change as part of Agenda Modification and Approval and/or as needed based on staff and time availability during the course of the meeting.



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 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, Cantones, mandarín o de lenguaje de señas (ASL) por favor envíe un correo electrónico a 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 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。



City of Oakland
Mayor's Commission on Persons with Disabilities (MCPD)
Monday, June 21, 2021

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), Reid Davenport, 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

Presenters: Nicole Ferrara, Ofurhe Igbinedion, Megan Wier, Olga Crowe, Kelly Nguyen

Other attendees (from webinar Attendee list): Sheela Gunn-Cushman, Helen Walsh, Laura Lane, Molly Bloom, Alison Flower, Patricia S., Olivia Asuncion AIA/YARD Northern California, Chonita Chew United Seniors of Oakland and Alameda County, Ayanna Keeton, Elizabeth "Libby" Faltis

1. Meeting called to order by Chair Smith at 7:35. At roll call, quorum was established with 7 of eight commissioners present (x) and 1 was late.

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

EXHIBIT A

2. Open Forum

- Sheela Gunn-Cushman has found the Oakland City Budget Community Engagement process to have accessibility issues and has attempted to address it. She is also interested in current information on the scooter program.
- Ayanna Keeton is an Oakland native and lifelong resident who lives in East Oakland and works at Easy Does It. She has applied to serve on the commission.
- Helen Walsh reminded the commission that June 22nd is the 22nd anniversary of the Olmstead Decision, the most important civil rights decision for people with disabilities in our country's history.
- Chonita Chew is with USOAC and announced that the Healthy Living Festival will be held on Thursday, September 30th at the Oakland Zoo.

3. Agenda unanimously approved with a motion from Commissioner Sperling and a second from Commissioner Gregory.

4. May 2021 Minutes unanimously approved with a motion from Commissioner Gregory and a second from Commissioner Sperling.

5. Commissioner's Announcements

- Commissioner Eberhardt is working with affordable housing developers on accessible housing availability for PWDs and unhoused PWDs and would like questions from the Commission and the public forwarded to Adaprograms@oaklandca.gov.
- Commissioner Ryan has resigned from MCPD.
- Commissioner Lynne has stepped down from her co Vice Chair position.
- Commissioner Gregory is now the sole Vice Chair.

EXHIBIT A

6. MCPD concerns regarding OPD for Commissioner Tevelson to bring to the Police Commission.

Action Item: With the final approval of the Chair, Commissioner Tevelson may send a letter to the Police Commission on behalf of MCPD.

- Commissioner Tevelson has drafted a letter to the Police Commission concluding “Mayor’s Commission on Persons with Disabilities would like the Police Commission to support us to demand OPD include mandatory training on invisible disabilities and put policies and procedures in place to assure that persons with disabilities are ALWAYS offered "a reasonable accommodation" for a disability, as required by law.”
- Commissioner Gregory made the motion that, with the final approval of the Chair, Commissioner Tevelson may send the letter on behalf of MCPD. It was seconded by Commissioner Sperling and unanimously approved.

7. Telegraph Ave Complete Streets Project, 20th to 29th Street

Action Items: A sub-committee will review the history of MCPD participation and input to the OakDOT Complete Streets project, specific to Telegraph Avenue from 20th to 29th Street, to decide how MCPD wishes to address the decision and advise the chair and vice chair. The sub-committee will meet with OakDOT Director and project planner before the plan is presented to the City Council.

Chair Smith asked for volunteers to participate on a sub-committee to review the history of MCPD participation and input to the OakDOT Complete Streets project, specific to Telegraph Avenue from 20th to 29th Street. The goal is to decide how MCPD wishes to address the decision to change the current, always temporary, parking and bicycle lane design and advise the chair and vice chair. City Council plans to vote on the issue in early July and MCPD would like an in person (online) meeting with OakDOT before the vote. Commissioners Nakamura, Sperling and Tevelson volunteered. Two attendees, Sheela Gunn-Cushman and Helen Walsh, also expressed an interest and willingness to work with MCPD on this issue in the future. The question also came up as to whether or not

EXHIBIT A

this change would apply to the entire Telegraph corridor project going forward.

8. Safe Oakland Streets

Action Items: Chair Smith will look in to AB43 and discuss a letter of support from MCPD with the vice chair.

Nicole Ferrara presented the Safe Oakland Streets project and the prioritization of the identified High Injury Network in planned and future Capital Improvement Projects (CIP). She then took questions and comments.

- Is there lobbying going on for AB43 (supported by the project) on the state level? Yes, AB43 has made it through the house and is going to the senate and the city lobbyist is working actively on the project. There is a portal for letters of support and Nicole can provide it for the commission,
- The goals seem vague. “Create a policy to expedite....” feels like creating a policy to make a policy.
- Do we actually know the root causes of accidents and is lowering the speed limit the answer? We know speeding and failure to yield are significant causes but street design and driving culture also contribute greatly.
- Do you consider alternatives to naturally slow down the traffic such as trees in the median? Yes when it is possible but these full street projects are costly and a current estimate just received shows the cost at \$35 million per mile.
- Will AB37 eliminate the need for traffic survey studies? In some cases, business districts (strictly defined) and senior zones, yes it will.
- What about speeding around schools in residential districts? Looking only at fatalities and not counting the near misses could leave them out. Yes, AB37 will be able to be used to address this.

EXHIBIT A

- This is unequivocally relevant to the commission and it is a huge issue. Thank you for starting to chip away at this as it is relevant to everyone. As a person who uses a wheelchair, I can verify that the situation is urgent.
- Chair Smith will follow up on this by looking in to AB43 and discussing a letter of support from MCPD with the vice chair.

9. 2021 Emergency Operations Plan Updates and Activities

Kelly Nguyen, Emergency Planning Coordinator, described updated plans, projects, and policy for emergency preparedness and emergency shelter activation.

Commissioner comments and questions included:

- Issues with inconsistency of how mental health issues are included and presented from slide to slide.
- Request that persons with mental health disabilities be fully included across the board and receive the same level of accommodations and those with mobility issues.
- Incorrect and redundant examples including substance abuse described as a mental illness, lack of inclusion of multiple invisible disabilities including cancer, multiple sclerosis, and diseases causing chronic fatigue, fibromyalgia incorrectly described.
- Problems with some language used such as describing some as needing “supervision” and using the word fragile, as well as first person language not necessarily being considered the most appropriate in all situations.
- Not enough information about transportation, whether it will actually be provided, and what is available in terms of wheelchair accessible vehicles (WAVs).
- Unclear on the purpose of listing the elements of culture (slide 28)
- The slideshow states the trainees will learn how to support the needs of PAFN and it does not do that.

EXHIBIT A

- Commissioners stated that the ERCs needed refrigeration for medication, and the ability to address and manage food allergies
- Charging stations for life support, mobility, and communication devices should be readily available.
- Clearly posted signs should be up and information clearly available with the understanding that people in difficult situations are coming into an unfamiliar situation and environment.
- The training slides presented felt very condescending to the disabled community and the trainees. They were “othering” of PWDs and do not seem at all perceptive of what people with disabilities go through. How is this going to help disabled people? There is a suggestion that training developers should talk with disabled professionals who do disability competency for a living. Although they may have better training modules to offer, it is still not possible to train cultural competency in a single session.

10. Staff Updates and Announcements / Future Agenda Items

<i>Action Items: Discuss post pandemic meeting format at future meeting</i>
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- We have been interviewing candidates for MCPD and have some excellent applicants attending this meeting. We have several vacancies and welcome referrals to the commission.
- Grand Avenue Mobility Plan is holding two virtual West Oakland Focus Groups next week.
- MCPD requests that a discussion of preferences for future meeting format past the pandemic shut down be put on the agenda.

11. Adjournment

June 2021 Minutes attachment; Updates and Announcements

The City of Oakland is accepting applications to fill vacancies on the

MCPD represents and addresses the concerns of the disability community.

If you are interested in applying, please go to:

<https://www.oaklandca.gov/services/apply-to-mayors-commission-on-persons-with-disabilities>

Safe Oakland Streets Presentation

Severe and Fatal Crashes in Oakland are unacceptably high. OakDOT has been working with staff from the City Administrator's Office (CAO), Department of Transportation (DOT), Department of Race and Equity (DRE), and Police Department on strategies to save lives and reduce severe injuries. Please contact Nicole Ferrara, Policy & Intergovernmental Affairs Advisor, nferrara@oaklandca.gov for questions and comments about this critical project.

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

2021 Emergency Operations Plan Update Discussion

Emergency Management Services Division staff are updating AFN (Adults with Functional Needs) plans and policy for emergency preparedness and emergency shelter activation. Contact Kelly Nguyen, Emergency Planning Coordinator, at knguyen3@oaklandca.gov for questions and comments about the Emergency Operations Plan Updates.

[City of Oakland | 2021 Emergency Operations Plan Update \[EOP\] \(oaklandca.gov\)](#)

Help Shape the Future of Grand Avenue- West Oakland Focus Group

The Oakland Department of Transportation and West Oakland Environmental Indicators Project would like to gather the West Oakland community again for further input on the Grand Avenue Mobility Plan! This is a comprehensive plan for a more inclusive, safer and sustainable transportation network on Grand Avenue between Mandela Parkway to Macarthur Boulevard. Meetings are Tuesday June 29th 6-7:30 PM and Wednesday June 30th 6-7:30 PM.

Register here: [Grand Ave Combined Focus Group Meeting Registration - Formstack](#)

To get more information on the Grand Avenue Mobility Plan, visit [City of Oakland | Grand Avenue Mobility Plan \(oaklandca.gov\)](#)

United Seniors of Oakland and Alameda County (USOAC)

Healthy Living Festival

USAOC will be holding their Healthy Living Festival this year on Thursday, September 30th at the Oakland Zoo. The event will begin at 8:30 AM. For more information contact Chonita Chew, Chonita@USOAC.org. or call (510) 729-0852. [HOME | usoac](#)



Meeting Agenda/Links List

Item/Topic	Details	Timing//Lead
Welcome	<ul style="list-style-type: none">- Digital Sign In: Full Name & Email Address<ul style="list-style-type: none">o VEOCI Link: https://veoci.com/veoci/p/form/j6fdsbwr2q4r	Karen Denicore
Introduction to the Emergency Services Management Division	<ul style="list-style-type: none">- EMSD General Overview	5 Minutes//JF
Communities of Oakland Respond to Emergencies Program	<ul style="list-style-type: none">- CORE Program general overview<ul style="list-style-type: none">a. Community Outreach & Engagement<ul style="list-style-type: none">i. AC Alertii. Zonehavenb. Emergency Training & Education<ul style="list-style-type: none">i. CERTii. Coming Soon! PAFN Trainingc. Citywide Drills & Exercises	10 Minutes//BH
Citywide Plans & Project Links	<ul style="list-style-type: none">- 2021 Local Hazard Mitigation Plan Update [LHMP]- Emergency Operations Plan [EOP]	10 Minutes//JF
General Session Q&A/Roundtable	<ul style="list-style-type: none">- Popcorn style	TBD

Additional Questions/Comments? Contact:

Emergency Management Services Division Manager: Jessica Feil – JFeil@Oaklandca.gov

Emergency Planning Coordinator: Brianna Horton – BHorton@Oaklandca.gov





Meeting Agenda/Links List

Item/Topic	Details	Timing//Lead
Welcome		
Introduction to the Emergency Services Management Division	<ul style="list-style-type: none"> - EMSD General Overview https://www.oaklandca.gov/departments/fire#emergency-management-services-division 	5 Minutes//JF
Communities of Oakland Respond to Emergencies Program	<ul style="list-style-type: none"> - CORE Program general overview https://www.oaklandca.gov/services/readyoakland <ul style="list-style-type: none"> • Community Outreach & Engagement https://www.oaklandca.gov/services/readyoakland#community-outreach-engagement <ul style="list-style-type: none"> i. AC Alert https://member.everbridge.net/453003085612570/new ii. Zonehaven https://community.zonehaven.com/?latlon=37.27818593866239%2C-22.06230091466364&z=9.168010806907342 • Emergency Training & Education https://www.oaklandca.gov/services/readyoakland#emergency-training-education <ul style="list-style-type: none"> i. CERT https://www.oaklandca.gov/topics/oaklandcert ii. Coming Soon! PAFN Training https://www.oaklandca.gov/topics/training-pafn • Citywide Drills & Exercises https://www.oaklandca.gov/services/readyoakland#hands-on-drills-exercises 	10 Minutes//BH
Citywide Plans & Project Links	<ul style="list-style-type: none"> - 2021 Local Hazard Mitigation Plan Update [LHMP] https://www.oaklandca.gov/topics/2021-local-hazard-mitigation-plan - Emergency Operations Plan [EOP] https://www.oaklandca.gov/topics/city-of-oakland-2021-emergency-operations-plan-update 	10 Minutes//JF
General Session Q&A/Roundtable	<ul style="list-style-type: none"> - Popcorn style 	TBD

Additional Questions/Comments? Contact:

Emergency Management Services Division Manager: Jessica Feil – JFeil@Oaklandca.gov

Emergency Planning Coordinator: Brianna Horton – BHorton@Oaklandca.gov



POLICING /SAFETY (Goal Area 1)

1.1 MCPD will continue to provide input and monitor OPD policies and procedures concerning PWD to include Domain 37 training and CIT.

Commissioner Tevelson

Associated Sub-Committee: Policing and Violence Prevention

Members: Commissioner Tevelson

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 Lynne, Commissioner Nakamura

Associated Sub-Committee: Emergency Preparedness

Members: Commissioner Nakamura
Sheela Gunn-Cushman
Helen Walsh

ACCESSIBILITY OF CITY PROGRAMS/ SERVICES/ ACTIVITIES (Goal Area 2)

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, Commissioner Sperling, Commissioner Tevelson

HOUSING (Goal Area 3): Ensure ADA-compliant housing stock

3.1 Advocate to ensure the accessibility and affordability of housing in Oakland.

Commission Vice Chair Gregory

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, Commissioner Eberhardt

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.

Commission Chair Smith, Commissioner Lynne

MCPD Ad Hoc Sub Committee and Liaison Overview

Proposed: Policy and Logistics*

- Evaluate By-Laws, Consider the logistical needs of MCPD

BPAC and MCOA Liaison**

- Identify and resolve issues of concern for PWDs

Current: Social Media and Communications

Policing / Violence Prevention

Emergency Preparedness

Newest: Complete Streets Telegraph Avenue (to be ongoing or situational?)

Ad Hoc Sub-Committees	Purpose	Associated Commissioners	Community Members
MCPD Social Media and Communications	Promote MCPD activities to the public and stakeholders. Social media platforms, community events	Chair Smith, Commissioner Lynne	
Policing /Violence Prevention	Liaison to Police Commission, Dept. of Violence Prevention / Monitor OPD activities and policies	Commissioner Tevelson	
Emergency Preparedness	Advocate for improved safety services for PWDs during emergencies and natural disasters	Commissioner Nakamura (2021)	Sheela Gunn-Cushman ('21), Helen Walsh ('21)
Complete Streets / Telegraph Ave 20th-29th Street (June 2021)	Monitor, review and address complete streets project impacts on PWDs	Commissioner Nakamura Commissioner Sperling Commissioner Tevelson	
Current MCPD Liaison Activity			
Police Commission	Monitor OPD activities and policies	Commissioner Tevelson	
Department of Violence Prevention	Monitor OPD activities and policies	Commissioner Tevelson	

EXHIBIT D

Proposed Ad Hoc Sub-Committee			
MCPD Policy and Logistics	Annual assessment of bylaws and logistics		
Proposed MCPD Liaison to other Commissions			
Bicycle and Pedestrian Advisory Commission (BPAC)	Work with BPAC to identify and resolve issues of concern for PWDs		
Mayor’s Commission on Aging (MCOA)	Work with MCOA to identify and resolve issues of concern for PWDs		

***MCPD Policy and Logistics Committee**

An ad hoc subcommittee to perform an annual review of MCPD Policy and Logistics.

Review by laws

Assess meeting logistics

Review MCPD roles and responsibilities

***Commission Liaison**

The role of the liaison is to develop an ongoing relationship and line of communication with another commission.

Approaches to the role include:

Self introduction to the chair of another commission as the designated liaison from MCPD

Invitation to reach out on issues they consider relevant

Requesting communication preferences for MCPD to contact that commission

Reviewing that commissions monthly agenda

Attending meetings as it seems necessary or relevant

Communicating with the commission on areas of interest or concern

Items to consider:

EXHIBIT D

Would the MCPD Liaison also play the role as the single point of contact to that other commission?

Proposed MCPD bylaws to form Committees and designate Liaisons

FOR DISCUSSION

COMMITTEES AND LIAISONS

- Committees can be formed by an action of the MCPD selecting two to four commissioners to serve on the committee. The appointed commissioners can select up to three additional non-commissioners as members of the committee. The action forming the committee shall specify the charge and duration of the committee.
- For a committee to meet, at least one of the commissioners appointed to the committee must be present.
- Committees will report their actions to the MCPD at the MCPD's regularly scheduled monthly meetings. If the committee was not active in the preceding month, a report does not need to be made. Committee reports will include the date, location, and attendees for each committee meeting, and the actions taken by the committee at that meeting.
- The MCPD may designate an individual commissioner as a liaison to another body, including committees, task forces, boards, and commissions. To be a liaison, a commissioner does not need to be a formal member of the other body. In the action designating the liaison, the MCPD will specify the charge of the liaison, which may include representing the MCPD to another body, or monitoring the activities of another body of behalf of the MCPD.