



City of Oakland

Mayor's Commission on Persons with Disabilities (MCPD)
Monday, July 17, 2023 5:30 p.m.-7:30 p.m.
Hearing Room 1, First Floor
One Frank H. Ogawa Plaza (City Hall), Oakland, CA 94612

Minutes

Commissioners: Cathy Eberhardt (Acting Chair), Noah Smith (Vice Chair), Ayanna Keeton, Leonard Moore, Marjorie Lynne, Kyle O'Malley, Fatimah Aure, Barry Robinson

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

Presenters: Marchelle Huggins, Access Improvement Program (Housing and Community Development)

Other attendees: Anwar Beroudi, Sheela Gunn-Cushman, Michelle Rousey

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

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

Roll Call

Exhibit F

- At roll call, quorum was not established with only four of eight commissioners present (X)

Commissioners	Present (x)
Cathy Eberhardt (Vice Chair)	X
Noah Smith (Vice Chair)	Absent (excused)
Ayanna Keeton	Absent
Marjorie Lynne	Absent (excused)
Leonard Moore	Absent
Kyle O'Malley	X
Fatimah Aure	X
Barry Robinson	X

Open Forum:

- Sheela Gunn-Cushman, emergency preparedness coordinator at CIL in Berkeley, mentioned that she attended a community emergency response team (CERT) conference in Burlingame at the end of June. OFD's CERT team was in charge of the drill exercises. AFN and general access needs were emphasized. Also, CIL is holding Emergency Preparedness 101 classes with a Berkeley student co-op and will offer them to anyone interested. They are also restarting their peer ambassador program.

Commissioner's Announcements

- Commissioner O'Malley announced that he and Commissioner Smith are working on drafting a letter to the mayor, city council, and state elected officials regarding the Brown Act requirements for in-person participation in meetings that went back into effect when Gov. Newsom ended the COVID emergency at the end of February. He believes that the Brown Act may be in conflict with Title II of the ADA. He mentioned that officials in San Francisco have been looking into ways to allow hybrid participation while staying within the Brown Act's requirements. He noted that MCPD has not made quorum since the return to in-person meetings starting with the March meeting, which means no business can be conducted including election of officers.

Exhibit F

- Commissioner Eberhardt requested to see the draft. Commissioner O'Malley agreed to send the draft to the other commissioners.
- Member of the public Michelle Rousey mentioned that the state Disability and Aging Living Advisory Committee (DACLAC), of which she is a member, has a workgroup dealing with the Brown Act issue. They are also working with Disability Rights California on the issue. She said that it is recommended that each individual request an ADA accommodation in writing. She noted that unless something is done, a lot of DACLAC's local committees may disappear.
- Sheela Gunn-Cushman mentioned that a state disaster coalition is having a meeting regarding the Brown Act issue on August 10 from 10:30 to 12:30 via Zoom. She noted that Christine Fitzgerald from Silicon Valley Independent Living Center in San Jose has been working on the issue. She objected to the requirement to write individual letters in order to comment. She noted that paratransit scheduling is difficult when the length of the meeting is uncertain, and this threatens public participation. She again emphasized that some people are better able to speak than to write, and that this is an equity as well as a civil rights issue.

Access Improvement Program

- Marchelle Huggins from Housing and Community Development was scheduled to give her presentation.
- Acting Chair Eberhardt called for a 15-minute recess to give Ms. Huggins time to arrive.
- Acting Chair Eberhardt then called for commissioners to submit questions for Ms. Huggins ahead of time.
- Commissioner Robinson asked about the definition of area median income, whether it is the median income for Oakland, individual neighborhoods in Oakland, or the entire Bay Area.
- Commissioner O'Malley said that he would hold his questions until the presentation takes place.
- Sheela Gunn-Cushman mentioned in response to Commissioner Robinson's question that area median income may be defined by HUD. She also noted that the Oakland Housing Authority has not done a good job with Section 508 compliance. She has been a Section 8 tenant for 8 years and has never been granted full access. She has been referred to the Rent Adjustment Program. She wants enforcement rather than referrals to Disability Rights California. She

Exhibit F

asked for housing education, noting that the housing situation in California has been bad for at least 20 years. She wants access, code enforcement, and CASPs (certified access specialists). She mentioned the ADA advocacy of the late Hollynn D'Lil, the fact that HUD sounds like they may want more inclusion, and that her inspection notices always come in print, which is useless to her because she is totally blind.

- Acting Chair Eberhardt proposed that Ms. Huggins be re-invited to present at the next meeting.

Election of 2023 Officers

- Without quorum, the election of officers could not proceed. Commissioner Eberhardt will continue as Acting Chair and Commissioner Smith will continue as Acting Vice Chair.

Staff Updates and Announcements

- Mr. Nguyen announced that the anniversary of the Americans with Disabilities Act is coming up on July 26.
- Mr. Nguyen announced that the City of Oakland no longer requires masks for entry to city buildings as of July 1, although people may still wear them for their own protection.
- Mr. Nguyen announced that OakDOT is circulating a survey about pedestrian conditions along Broadway as part of its Broadway Streetscape Improvements initiative.
- Mr. Nguyen announced that the Bay Area Housing Finance Authority (BAHFA) has launched the Doorway Housing Portal to assist residents of all nine Bay Area counties in locating affordable housing. Doorway is based on a similar system in San Francisco called DAHLIA.
- Mr. Nguyen announced that the U.S. Department of Justice Civil Rights Division is holding a symposium addressing the criminalization of people with disabilities on July 25 from 10 to 12 Pacific.

Future Agenda Items

- Proposed agenda topic – a presentation on the Oakland general plan

The meeting was adjourned at 6:35