



Commission on Disability

Commission on Disability
Regular Meeting
June 13, 2001
Minutes

Roll call: 4:10 p.m.

Present: Charlie Betcher, Karen Craig, Norm Rabkin, Miya Rodolfo-Sioson, Marissa Shaw, Robert Smith, Emily Wilcox

Not present: Karen Rose, Delia Todd

Staff present: Eric Dibner, Gene Biggins

Public Comment: Kate Hearst expressed concern the Commission and ADA Transition Plan only address wheelchair access, not other disability issues; she has been refused service by businesses, such as gas stations, and receives parking tickets although she has a placard; businesses should sign an agreement promising accessibility. Dede Dewey said van companies are not accepting her vouchers for trips on holidays. Nancy Hammons, representing Deaf Counseling Advocacy and Referral Agency (DCARA), asked consideration of deaf, hard of hearing, and late-deafened people as transportation users. Jim Donelson said the courthouse men's restroom is inaccessible and Berkeley Adult School needs an elevator and an accessible restroom. Ray Dobard said the disability population is invisible because there is not enough promotion and advertising.

Actions and Discussion: *All actions are unanimous unless otherwise indicated.*

Minutes: It was moved, seconded, confirmed (Craig/Rabkin) to approve the minutes of the meeting of June 2, 2001. (ABSTAIN: Wilcox.) The minutes of the May 9, 2001 meeting were tabled.

Public Hearing and Commission Workshop – “Americans with Disabilities Act Transition Plan”:

Dede Dewey said paratransit should be more specifically covered and asked what clout the City has with paratransit providers. Commissioner Craig said the Transition Plan can cover contractors. Commissioner Shaw wondered whether the City has any practical control over contractors.

Eric Dibner gave an overview of the Transition Plan. He said the Americans with Disabilities Act (ADA) requires the City to identify barriers to access to City programs, and the barriers might be policies, practices, or structural barriers in facilities. The Transition Plan only addresses the structural barriers related to facilities, which include buildings, parks, the pedestrian network, and vehicles. The Transition Plan only addresses facilities where the City has its own programs. The Transition Plan does not cover programs operated by others (even within a City facility) or accessibility projects going beyond the minimum requirements of the ADA. The City can adopt other plans to address those other issues, but adoption of an ADA Transition Plan is a top priority to satisfy federal requirements.

Jim Donelson said the Berkeley Adult School computer classes are held upstairs with no elevator. Fred Lupke said bond money has been allocated for renovation that campus.

Charles Smith said when staff are gathering data, be sure to collect information about people with disabilities and about bicycles, particularly when doing traffic and pedestrian counts.

Ray Dobard said open and closed captioning, microphones, and audio cassette recording of all official City meetings are needed for full participation. Government activities should be beamed over community access television to allow full participation in government programs.

Jan Garrett said she is surprised at how brief the plan is. There should be more specific information about barriers and specifics about fixing them. She wondered about the “Adjunct Accessibility Plan” and if it contains more specifics. For example, regarding community gardens (page 7), she asked why no funding is indicated and what is meant by “groups will provide accommodations.” The Plan should include emergency strobe lights, which are not mentioned; it is hard to believe that every City building has them. She would like to be able to compare the programmatic plan with the facility plan.

Ed Joseph agreed with Ms. Garrett and added many facilities are not accessible and programs need to be accessible as well.

L.A. Wood said the City has not been proactive regarding the ADA. We need to do more than the minimum. You should not have to ask for things like captioning. The Parks Meeting Room at the Corporation Yard is a community meeting room which should be ramped. The City Council chamber is not large enough and only has five wheelchair spaces. Programs like the Berkeley Free Folk Festival, which receive City funding, should comply with the ADA. At the Corporation Yard, customer services (such as sand bags) and the Equipment Maintenance Buildings should be accessible. Vehicle purchases (minivans) should consider accessibility needs. Meeting rooms should be cabled so people can “plug in an XLR” to give access to those who cannot get out of their house. Ohlone Park East should have accessible restrooms built, not just a portable toilet.

Blane Beckwith said pedestrian crossings that require pushing a button do not work without use of one’s hands. He has sat for twenty minutes in the rain waiting for the light to change. There

should be a foot plate that can be tapped with a chair. Berkeley should be progressive and go beyond the ADA Accessibility Guidelines.

Michai Freeman said there should be plug-in technology for video and microphones for people whose voices do not project, such as people using ventilators. The Berkeley High School-Based Health Center should have accessible exam tables and equipment. Staff at counters should know to walk around so privacy information does not get projected while talking over the counter. There should be an accessible writing surface and emergency signals. Agencies that do business with the City also should comply with the ADA. Meetings should be better advertised to get more participation. Transportation, health care, and parenting issues are important. Accessible facilities should be there when someone arrives, without having to ask.

Mara Duffy, speaking as an attendant, said the document is good. Not everything can be made accessible. Access that benefits people with disabilities, such as automatic doors, also helps the aging population and should be included when buildings are designed.

Arthur Stopes III asked whether federal funding is involved in any of the projects in the Plan. Eric Dibner responded that federal funds are not included but may be sought. Mr. Stopes said the ADA does not apply to California unless there is federal funding, since the word “state” is not capitalized.

After a break, the Commission reconvened in Workshop B and took further testimony.

Susan Ferreyra observed the Plan does not list all the barriers in each facility or explain why some locations will remain inaccessible, such as the restrooms upstairs at North Berkeley Senior Center. She asked what the term “in design” means, and when those projects will be done. If the Plan’s recommendation is to use alternative facilities, they should be specified. For example, what are the alternatives to the Berkeley Community Theatre? Saying “staff provide assistance” at a front counter is not an appropriate solution. It is unrealistic to think such solutions can be enforced. Live Oak Theatre and Black Repertory Theatre are unique public facilities, so they should be accessible. Play equipment in Ohlone Park (rocker toys, bucket swings, and school age play structure) are inaccessible because they are in sand. What standards are used for parks equipment? Power assist doors should be on every public building and included in the Plan.

Linda Winslow said there is no way to open doors at the three swimming pools, there are slip hazards from water pooling in the locker rooms, and at West Campus the pool lift and the toilet are not working.

Paratransit coordination proposal: Alain Cretin, Transportation Coordinator with Bay Area Community Services (BACS), Tom Brightbill, Alameda County Paratransit Coordinator, and Gene Biggins presented the BACS proposal and answered questions. It was moved, seconded and confirmed (Shaw/Betcher) to request the City Council to support the project by Bay Area Community Services to conduct a feasibility study and pilot project for demand response transit in Berkeley and North Alameda County with the use of "gap funding" under Measure B.

Traffic Engineering and Transportation Planning: It was moved, seconded and confirmed (Craig/Smith) to recommend to City Council to keep the Traffic Engineer in Public Works and add the Transportation Planner to Public Works. (AYES: Betcher, Craig, Rabkin, Rodolfo-Sioson, Shaw, Smith, Wilcox Todd; NOES/ABSTAIN: None; ABSENT: Rose, Todd.)

ADA Transition Plan: It was moved, seconded and confirmed (Wilcox/Craig) to have no further discussion of this issue at this time, to put it high on the agenda of the next meeting for discussion and possible motion, and to have staff send as soon as possible all the comments received so far. (AYES: Betcher, Craig, Rabkin, Rodolfo-Sioson, Smith, Wilcox Todd; NOES: Shaw; ABSTAIN: None; ABSENT: Rose, Todd.)

Locations for signage at angled parking spaces: It was moved, seconded and confirmed (Craig/Smith) to approve the list of locations for installation of signage at problematic angled parking spaces, as identified by the “Angled parking Conflicts” memo included in the packet.

Naming of I-80 Overcrossing: Tabled.

Guidelines for special events: Tabled.

Medicare benefits: It was moved, seconded and confirmed (Craig/Wilcox) to request City Council to urge the City’s Congressional Representatives and Senators to add benefits to Medicare for eyeglasses and dental coverage.

Adjournment: The meeting was adjourned at 7:30 p.m.