

COMMISSION ON DISABILITY

Minutes November 14, 2001

The meeting was called to order at approximately 6:35 p.m.

ITEM: ROLL CALL

Present:

Commissioner Miya Rodolfo-Sioson, Chair
Commissioner Bob Allamand
Commissioner Charlie Betcher
Commissioner Karen Rose
Commissioner Marissa Shaw
Commissioner Robert Smith
Commissioner Delia Todd
Commissioner Emly Wilcox

Absent

Norman Rabkin

Staff

Don Brown, Secretary/Disability Services Specialist
Eric Dibner, Disability Services specialist
A. Robin Orden, Finance, Administration
Geri Mc Farland, finance, Customer Service
Eugene Biggins, Housing, Administration

ITEM: ACCESSIBLE VOTING Elaine Ginnold, Assistant Registrar of voters

Ms Ginnold reported that the county has been using the same voting machines since 1968. The current voting machines are the same as those used in the last Presidential election in Florida. In 1999, on a limited basis, the first accessible voting machines were used in Alameda County. The pilot voting machines were located in Piedmont and the voter's response was favorable. Following the November 2000 elections, the County committed to move forward toward full implementation of accessible voting equipment. The county is interested in developing a partnership with a vendor that will support the

entire process, which would span over a twenty-year period of time. The County is currently in contract negotiations with a vendor by the name of Global Election System. It is expected that accessible voting machines will be in all precincts by November 2002. Each voting machine will utilize the "touch screen" technology. In total, the County will have possession of 400 accessible voting machines, an average of 4 machines per each precinct. Some precincts will have more and some less, depending on its size. In the event of technical failure, provisional ballots will be available at each voting location. Ms. Ginnold indicated that a public information campaign will be initiated once the contract between Alameda county and Global has been signed.

ITEM: PUBLIC COMMENT

There were two speakers during the Public Comment portion of the meeting.

Ray Dobard

Mr. Dobard informed the commission that the draft minutes contained errors with respect to his comments. **Dobard said,** "MY REQUEST WAS FOR THIS BODY TO RECOMMEND TO THE CITY COUNCIL THAT THE CITY COUNCIL PROVIDE SOUTH BERKELEY DISPOSSESSED DEVELOPERS, A NON-PROFIT COMMUNITY-BASED ORGANIZATION, WITH A \$30,000 GRANT FOR RESEARCH AND FOR SEED MONEY TO HAVE THIS PROPOSAL ADOPTED TO PROVIDE OPEN AND CLOSED CAPTIONING TO ALL THE DISABLED COMMUNITY OF THE CITY OF BERKELEY AT NO CHARGE WHATSOEVER."

Jesse Townley

Mr. Towley reported that the search for an Executive director for EDI is going well. The EDI board of directors is please with the quality of the nearly 30 applicants. Towling expressed an interest in working with the C.O.D. on Measure E, which will be on the November 2002 ballot.

ITEM: ANNOUNCEMENTS

Commissioner Todd announced that a Deaf Community Night is being planned for December, in San Leandro. It will be a celebration of culture and diversity. State Senator Liz Figueroa, Fremont is scheduled to speak. On Thursday, November 15th, from 6 – 10, at the Deaf community Center, there will be a pie contest. The topic of deaf outreach will be discussed, Commissioner Todd reported.

Commissioner Smith announced that he recently attended a meeting that focused on paratransit. The meeting was for paratransit users only. The city of Berkeley, AC Transit, and East Bay Paratransit all seem to be moving toward universal usage of service. Commissioner Smith announced that an additional paratransit meeting is scheduled for

November 27, 2001. He urged all interested parties to be present and make their concerns known.

Commissioner Smith announced that the discount provided to Berkeley residents with disabilities by AT&T is being removed, without notice to the account holder. AT&T indicated that the discount is being removed as a result of a request from the City. This explanation appears to be in complete conflict with the understanding between the City and AT&T, the Commissioner indicated.

Don Brown announced that the Commission on Transportation's Bicycle subcommittee would discuss bicycles on sidewalks at its next meeting, which is scheduled for December 5, 2001, from 4 – 6 p.m.

ITEM: APPROVAL OF MINUTES (October 10, 2001) It was moved that the 10/10/01 minutes be approved with the following corrections:

Wilcox abstained from the vote re: approval of the minutes.

Eliminate language re: South Berkeley dispossessed developers and \$30,000 proposed budget.

MSC: Smith/Betcher

ITEM: STAFF REPORT Don Brown, Eric Dibner

a. ADA Transition Plan update

Eric Dibner indicated that the narrative portion of the plan has been redrafted and he is presently working on the final draft of the budget. It is anticipated that a draft of the budget will be forwarded to the City Attorney's office in the next couple of weeks.

B. ADA Self-Evaluation update

Don Brown reported that the City's ADA Self-evaluation is currently being revisited. He indicated that as a result of continual changes and enhancements to City programs, services and activities, necessitates adjustments to the self-evaluation process. Brown went on to say that staff will provide the COD with periodic status reports as the process develops.

C. Bus shelter permit implementation process

Don Brown reported that the process for installing bus shelters is underway. He reported that January 2002 is the targeted date for the first of a three-

phase installation process. Forty-seven shelters, primarily located in the southern portion of the city, are included in the first phase of the process. Brown indicated that shelters would have a lighting source, bench and a case to display transit information and the contractor is aware of, and amenable to, the need to have displayed information available in alternate formats. Commissioner Rose asked if the shelters would be flush to the ground. She expressed safety concerns regarding canes becoming entangled into openings near the ground. Brown indicated that staff would take a look at the designs and report back to the Commission.

D. Captioning update

Eric Dibner reported that the City Clerk's office is taking the lead on exploring captioning for City Council meetings. A team involving staff from the Disability compliance program, Information technology, Berkeley TV and the City clerk's office has been established and are currently examining various aspects of the effort to provide captioning for Council meetings. Staff will provide the C.O.D. with progress reports as warranted.

e. Accessible event policy development process

Due to time constraints, this item was not included in the Staff report.

ITEM: TRANSPORTATION SUBCOMMITTEE REPORT

a. Distribution of taxi scrip for Winter 2002

b. Taxi riders bill of rights: Unfinished business

A. Robin Orden and Geri Mc Farland reported as to the current status of the revised taxi ordinance and on those items identified as needing additional time to review.

1. As of January 1, 2002, all drivers and business owners will be required to accept Berkeley taxi scrip, which is currently redeemed at full face value. This measure is in addition to, and reinforces those in the Bill of Rights; and its effective date corresponds to the business license activity calendar year.
2. Taxi drivers and business owners will be prohibited from discriminating against a prospective fare on the basis of age or disability, length of trip, geographic location of either origin or destination points or form of payment (i.e., cash or

scrip). They will also be prohibited from inquiring prior to service as to whether the form of payment will be cash or scrip.

3. Taxi drivers and business owners will be required to allow passengers to transport service animals.
4. Drivers will be required to provide “curb-to-curb” service to the extent feasible, safe, and legal at pick-up and destination points. This means that drivers will allow passengers to enter and exit the vehicle at a safe location at both the origin and destination as indicated by the passenger.
5. Drivers will be required to confirm passengers are securely seated, with the door closed before driving and that passengers are safely out and clear of the vehicle in an appropriate location (i.e., not in the street, but on the sidewalk) before leaving passengers at their destination.
6. All vehicles will be required to display business and driver information in Braille and large raised print in the interior of the vehicle, and drivers will be required to provide this information verbally, upon request.
7. Drivers who provide reasonable assistance with packages, groceries, or luggage, at a passenger’s request, may leave the meter running and collect payment for the time necessary to provide this assistance.
8. Drivers will be required to provide, on request, a complete and correct receipt upon payment of fare.
9. Drivers will be required to take a reasonable alternate route if requested by a passenger.
10. Drivers will be required to have maps of Berkeley and adjacent areas in the vehicle at all times.
11. Drivers will complete annual sensitivity training on how to relate to elderly passengers and those with disabilities.

In addition to the proposed amendments to the Taxi Ordinance, staff has implemented, or soon will implement, the following provisions from the Bill of Rights:

1. Staff already has a process for responding to passenger complaints, compliments or suggestions, and will continue to review and improve the process. Calls can be made to either the Para transit Office at 981-7269 or to Customer Service taxi regulations enforcement at 981-7264
2. Para transit staff is usually available during routine business hours either in person or by phone at the Para transit Office, or callers may leave a message at 981-7269.

The following items have been identified as needing additional time to review, or are outside the City’s ability to implement unilaterally or have significant budget implications:

1. Taxicab arriving when dispatcher says it will: staff interprets *this to mean dispatchers and drivers informing passengers who call for a ride whether, in fact, a cab is or is not available at the approximate time requested; and if a cab*

cannot arrive at the time requested, informing the caller if and when a cab could reliably be expected – staff is working to determine if it is possible to recommend and enforce this measure.

2. Taxicab service within 15 minutes of placing a ride order – staff is working to determine if it is possible to recommend a reasonable and enforceable “window of time” for service.
3. Dispatchers and drivers who are courteous and civil cannot be legislated, but will be reinforced by staff as part of routine enforcement activities.
4. Allowing passengers to transport companion animals, *other than service animals*, requires review.
5. Driver name and vehicle number accessibly and prominently displayed in Braille and large raised print on exterior of vehicle – needs further review.
6. Drivers who speak and understand English – needs further review.
7. Taxi scrip valid for travel initiated outside of the City of Berkeley is beyond the City’s jurisdiction to regulate; however, any permitted driver who chooses to do so may accept and be reimbursed for Berkeley taxi scrip, and a list of companies that will accept scrip is available and has been provided to taxi scrip users.
8. Enough taxi scrip books to meet daily transportation needs has financial and budgetary implications, and is reviewed on a quarterly basis, as part of the Housing Department’s allocation process.

Mc Farland and orden encouraged the C.O.D. to provide staff with feedback with any of the items discussed.

- c. Request that Housing Director (Steve Barton) and the City allocate \$4800 to Alameda County to extend the Ramped van Service pilot project contract, in the Berkeley/Oakland area

The following was MSC: Request that Housing Director (Steve Barton) allocate \$4800 to Alameda County to extend the Ramped van Service pilot project contract, in the Berkeley/Oakland area, should he deem it appropriate.

Wilcox/Rose (No: Betcher) (Absent: Rabkin/Todd)

The following motion was MSC:

REQUEST APPROPRIATE STAFF TO EXPLORE THE CITY OF Oakland’s FINANCIAL CONTRIBUTION, IF ANY, TO THE COUNTY OF ALAMEDA FOR THE PURPOSE OF EXTENDING THE CONTRACT FOR THE RAMPED VAN SERVICE PILOT PROJECT IN THE BERKELEY/OAKLAND area.

Shaw/Wilcox (Absent: Rabkin/Todd)

- d. Report on the San Pablo Avenue Public Improvement Workshop

Due to time constraints, this item was not discussed.

ITEM: HOUSING SUBCOMMITTEE REPORT

The following motion was MSC:

Convene a Special Meeting of the C.O.D. (Wednesday, November 28, 2001, from 6:30 to 9:30) to take up the matter of the Housing Trust fund review and recommendation process.

Betcher/Smith (Absent: Rabkin/Todd)

ITEM: AGENDA SETTING

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Appropriate behaviors in public meetings

ITEM: ADJOURNMENT

The meeting adjourned at approximately 9:35 p.m.