

**COMMISSION ON DISABILITY ISSUES  
MEETING MINUTES OF  
Wednesday, October 12, 2016 6:30 p.m.**

***Item 2-B, December 14, 2016 CDI Meeting***

**1. ROLL CALL**

**Elizabeth Kenny:** I would like to take roll call for our meeting of the Commission on Disability Issues for Wednesday, October 12th, 2016.

**Kerry Parker:** Welcome. Please respond. Chair Kenny?

**Elizabeth Kenny:** Present.

**Kerry Parker:** Vice Chair Brillinger?

**Arnold Brillinger:** Here.

**Kerry Parker:** Commissioner Aghapekian?

**Anto Aghapekian:** Here.

**Kerry Parker:** Commissioner Deutsch?

**Susan T. Deutsch:** Here.

**Kerry Parker:** Commissioner Franco?

**La Donna Franco:** Here.

**Kerry Parker:** Commissioner Hall?

**Lisa Hall:** Here.

**Kerry Parker:** Commissioner Lewis?

**Tony Lewis:** Here.

**Kerry Parker:** Commissioner Linton? And Commissioner Tsztoo? We have seven present, and we have a quorum.

**1-A Welcome New Commissioner: Lisa Hall**

**Elizabeth Kenny:** First I'd like to start off by welcoming our new Commissioner, Lisa Hall. Welcome to the Commission on Disability Issues. She was chosen, the Mayor had some very good candidates to choose from, and Lisa was very impressive. I'm glad that you're joining us. If you want to say a few words about yourself, that would be great.

**Lisa Hall:** Thank you. I just want to say I'm happy to be here. I had a long successful career until 2012, when I finally became disabled after a few years of a bad accident. And my whole life changed. And it was very much of an eye opener to see the obstacles that people with disabilities, and seniors face. So, I wanted to see if I can help to do some good. I'm happy to be here.

**Elizabeth Kenny:** Okay, thank you. Welcome. So next, did you want to talk about the new format for the minutes?

**Kerry Parker:** Sure, but let's do any agenda changes.

**Elizabeth Kenny:** Oh yes, sorry. I would like to make a motion that we change the agenda so that Item 5B, review of Commission business, is moved up to just after oral communication, non-agenda items.

**Kerry Parker:** Right after...

**Elizabeth Kenny:** Oh, sorry. Yes. Right after 4A.

**Kerry Parker:** Made a motion?

**Elizabeth Kenny:** Yes, I have. Does anyone second that motion?

**S?:** Second it.

**Elizabeth Kenny:** All in favor?

**(All):** Aye.

**Elizabeth Kenny:** Any opposed? Great, thank you.

*(AGENDA ITEMS BELOW ARE IN ORDER AS DISCUSSED, BUT NUMBERED AS ON AGENDA)*

## **2. MINUTES**

**Elizabeth Kenny:** So now we move on to the minutes and Kerry is going to tell us a little bit about the new format.

**Kerry Parker:** I said I would mention this. So if you noticed when I posted the agenda, the minutes were done very differently than they have in the past. In the past, the minutes have been physically notes that I have written after a meeting, and put it together in the way that I saw how the meeting went, right? I paraphrased, I abbreviated a bit. But I tried to get the general flavor of the meeting in the minutes. This took a lot of time. And in order to reduce that time, we found an online service that can copy these minutes verbatim. So while it is a bit uncomfortable to see every cough and laugh, I mean I took a bunch of things out like that from the verbatim minutes, however it's all there. So it's not wrong, it's just it's now every single thing we say. So unless there any major objections to this new format, I think we're going to proceed with this. It saves administrative time on this Commission, which helps us have more time for more things in depth. So, that's my update.

**Elizabeth Kenny:** Great. If anyone has any has any objections, I think now would be the time to raise them. Commissioner Brillinger?

**Arnold Brillinger:** Mine is not an objection, I thought that it was a very good idea to do this. And last night, I turned on the tape of it, the audio, and followed it, and it pretty much goes word for word, except I didn't know that Kerry, you had done a little bit of editing, and took out some of the coughs and things like that, or when sometimes people backtrack. So I think it's very good, and it's a very good record of our meetings.

**Kerry Parker:** That's excellent, it definitely makes it easier for me. And I mean they did add chuckles, and the Chair, when I first showed her this, says, "Okay, I said, 'Alright,' too many times." So you're allowed to say, "Hey, could you omit half of the, "umms," that are typed in there?" I don't think they actually include too many "umms" but I'm happy to strip those out because I don't think that they're pertinent to the conversation, and they're easy for me to pull. So, there is that. Tony?

**Tony Lewis:** Yes, I was just wondering. You don't find this to be equally as cumbersome? Because basically you're having to sit through this twice, aren't you?

**Kerry Parker:** No, because I don't type it at all. So, basically...

**Tony Lewis:** What I mean by that is that you have to go through... You have to read or go through this to be aware of those things, the chuckles, the umms, the alrights.

**Kerry Parker:** Yes, that's a good point. I scan it, and I'm going to rely on you all to help me additionally scan it. If I can see things evidently, I mean like right away, I'm going to pull them, and that can be done by a search in software, right? I say, "Okay, pull all the alrights," and I'll see if they make any sense in that sentence. If I can pull them, I will, if I can't, I won't. Because I don't want to lose any of the content, either. So, that's the only worry there. But I think with the format, it reads okay and it is exactly what we said.

**Elizabeth Kenny:** And it's a time saver?

**Kerry Parker:** Yes, absolutely.

**Elizabeth Kenny:** Next I'd like to move on to Item 2B, approval of the minutes from our June 8th 2016 meeting.

**S?:** I so move.

**Elizabeth Kenny:** Second? All in favor of approval of the minutes as is?

**S?:** Aye.

**Elizabeth Kenny:** Great, that carried unanimously.

### **3. ORAL COMMUNICATIONS/NON-AGENDA (PUBLIC COMMENT)**

**Elizabeth Kenny:** So, now is the time for oral communications, non-agenda items, do we have any public comments?

**Kerry Parker:** We do but it's for item 5A.

**Elizabeth Kenny:** Okay, thank you.

#### **4. NEW BUSINESS**

##### **4-A Recognize Girls Inc. Julie Vu (Commissioner Franco)**

**Elizabeth Kenny:** The Commission would like to thank and recognize Julie Vu for some amazing volunteer work she did for the Commission, and I'm going to let Commissioner Franco speak with that, because Commissioner Franco worked with Miss Vu.

**La Donna Franco:** Thank you. It's my great honor to recognize Julie Vu from Girls Inc, who volunteered her time to work on our resource guide. It was a daunting task, and quite time consuming. So on behalf of the Commission, I'd like to thank you for your time, energy, and effort that you put into the resource guide. While it's not yet complete by us, you have given us a great jumpstart into completing the resource guide, and getting that up to the website and to the public, and making it more available and accessible to the public. So, I'd like to thank you for that. It was a lot of piece-by-piece work, editing, cold calling, calling numbers and updating a lot of things. So it's just a wonderful start that you've given us for it, so thank you. And I'd also like to thank former Chair Audrey Lord-Hausman, for putting us in contact with Girls Inc as well. So, thank you.

**Elizabeth Kenny:** Thank you, and we have a certificate for you, Julie, if you'd like to come up.

*(A certificate of appreciation was awarded to Julie Vu.)*

##### **5-B Review Commission Business: 6 meetings per year (Chair Kenny)**

**Elizabeth Kenny:** Now we're going to jump ahead to 5B, review of Commission business. I wanted to talk a little about the fact that we have six meetings per year, and our last meeting was in June, it's been a little while since we've had a meeting. And that's because City Hall is dark in August, we'll not be having meetings in August. What we are doing to have that sixth meeting is to have the retreat in January. We looked at possibly doing it in August, but our new members would come on that September-October time, it made more sense to keep the retreat in January, and have that extended break. But because there are only six meetings throughout the year, I just want to say how important it is for everybody to attend those meetings, and that there are lots of opportunities to get involved beyond the meetings. But the meetings are our one time that we come together as a group, it is very important to attend the meetings.

##### **4-B Discuss Summer Events & Future Events (Events Subcommittee)**

**Elizabeth Kenny:** Next, we can go back to Item 4B, discuss the summer events and future events. We had the Events Subcommittee got us a table at the Art and Wine Fair, and I'd like to hear back from them, and what their future thoughts are too. Who would like to report?

**Arnold Brillinger:** Since no one is jumping in, I'll go in. For the most part, we found that that was a positive experience for the CDI. We thought that we contacted people, we were able to educate them on various things. We had way more than we needed for handouts, and that was a real plus. Thank you to the various people who went and got them. Also, we did have some comments about, that it would probably be better, because this one was from until 4:00, that we go until 6:00. Because a lot of people, it was cooler later in the evening, and they showed up later in the evening. Just a lot more people there. Also, we were kind of on the side where more people kept in the middle, going up and down the center, so, maybe if we can get something out in the middle, and that would be helpful. But otherwise, it was a very good experience for the CDI to do.

**Arnold Brillinger:** Thank you also for the people who came out and were part of it, to help man the table. Also, Tony will probably talk about some of the other volunteers from other groups that came out there too. I also would like to talk about the fact that I had gone... First I had gone to the City Manager's office to find out, because we said, "Let's see if we can get more blue curb parking close to the event." And it turned out that the Mayor, or the City Manager never did talk to me, but handed it down and down and down, and the person who is in charge of that in Public Works did call me and said, "What do you want?" And I said, "Well, if we could get a number of parking spaces in city-owned parking." And she said, "Well, we have that garage that's just down the street here, and we have recently outfitted it with different lights. We can put green lights for open spaces, and red lights for spaces that are used, and then we can put blue ones for the blue parking spaces."

**Arnold Brillinger:** So, I went both days Saturday and Sunday, and I went into the garage, and I was a bit disappointed. Because I was told that we would have up to eight different spaces, and when I went in there, I saw the same three on the bottom floor, and I didn't see anymore. And I looked around, and when I asked Kerry about it, she said, "Well, let me have..." "It was Lisa, right?"

**Kerry Parker:** Liz Acord.

**Arnold Brillinger:** I'm sorry, Liz Acord. And she called me back and she said, "Well, you know, we think that it went out and that it was a success, because you had asked for eight more spaces," which I did, hoping that we'd get at least five more. She says, "Well, we had 10 spaces, but we had them up on the next floor up, where there's no incline, so that the handicapped people wouldn't have to walk up or down the hill." And I had not gone up there, so I was very happy to hear about that. And she said that the public and the people who are running it, because they did have an extra person in there, to explain to people how it works, that everyone thought it was a good idea to have those extra handicapped spaces there. So that was a very positive thing, and I ask that for other events that we have here on Park Street, that we just go ahead and ask for extra spaces, and it's not that hard to do, I guess they can do it from the control desk, and which ones turn blue and which ones not. So, it was a pretty good experience.

**Anto Aghapekian:** I have a question. In that building, the parking building, the spaces that they allocated, did they have enough space for people to get in and out if they have a wheelchair, or if they have a walker?

**Arnold Brillinger:** Well, I'm thinking that they had to probably make those in between red spaces.

**Anto Aghapekian:** I see.

**Arnold Brillinger:** Now I've actually gone into the building since then, and I took the elevator all the way to the top, and I rode all the way around and around and around down to the bottom. And I found that next to the elevator on every floor, there is a blue space. There is already one, I mean, all the time. So it's not only the three that I found on the bottom floor, but all the other floors, two, three, four, five, and I think six, all have one also. So if we had 10 in addition to those, that's quite a few spaces in there.

**Anto Aghapekian:** And then is there any possibility of having regular parking spaces on the street, adjacent to parks where the fair is? And some of those parking spaces to be temporarily designated as blue parking spaces?

**Arnold Brillinger:** Well, originally, I was just asking for anywhere that the city owned property, that they could designate certain ones. But then this one is only a block away from the Park Street, because it's on Oak Street, and I think that we can also ask for that in other years, something toward the other end of the event, also.

**Kerry Parker:** As I understand it, there was a liability issue with temporary spaces and making them ramp accessible, let's say. And the garage already was a public garage, that's why it happened the way it did. I think asking for additional spaces could work, but this is how Public Works responded, making sure these were accessible.

**Elizabeth Kenny:** I also like having it in the garage for other events, because people need to know this is happening and they might not have just gone into the garage last time, but they might have a friend who went in during the fair and can tell them, "Hey, you can park in here during the fair. There's additional disabled parking spots." So having that, it would be great to get additional spots closer, but also having that one spot that we can kind of build up a reputation of, "This is where you can go," I think is going to be helpful.

**Arnold Brillinger:** Okay.

**Tony Lewis:** I wanted to comment about the fair also. I thought it was very successful, and I would like to certainly commend Commissioner Franco, because she was the one who transported lots of the material that we had, and the table. And I would strongly urge that we have a little bit more support from other commissioners, and I understand it was during a time, this was summer time and people were on vacation, and they have other things to do. But it was a heck of a lot of fun, and it's a good way to meet people that you haven't seen for a while, that's one thing. And also, I really do think that it's good publicity for the Commission, and it's just not promoting the dire parts of disability, it's also part where you're at a fair, you're at an event, and I think it's important for us to be at something like that. So the more people that we can get to support would be good. Especially for people who drive, and supporting transporting stuff would certainly be helpful if we could do that.

**Tony Lewis:** We partnered with the Alameda Community Chorus, who's also under Park and Rec, and they had a table too, so we shared space with them. And I think that's a good idea for us to do that in the future, because I think it draws more people, because they're curious about the Chorus, or if we did it with Girls Inc, or some other group that's under Park and Rec, or connected in some way, that's a good idea. It was also good for us to really see that there's other groups here in Alameda, disability groups, the Pacific Islander group, who's having their event at the elementary

school, I think, later this month, that's going to be happening. And that's something I certainly didn't know about, and it's good for us to know about that.

**Tony Lewis:** And there was also another group assisting people with hearing impairments. And so it's a good way to partner with them, and maybe that would be another thing for us to do. I also would like us to think about, and for other Commissioners, if you know of any events that are happening around town previously, and I don't know if this is still going to happen or not, but when Alameda Hospital had the health fair in October, that possibly could be a good event for us to be a part of when they were doing the screenings, flu shots and all that, and they would have different tables around the room at Alameda Hospital, if they're still doing something like that. Something at Mastick, they're doing something like that. If there's, for instance, this month is Disabled Awareness Month, if there's an event connected to that, that's something we certainly should be a part of. This upcoming week, as I sent an email to Kerry, this is White Cane Day coming up, which is significant, because the White Cane came about because of veterans returning from World War II. And so in 2012, I believe it was, all states and most cities declare proclamations for White Cane Day, just recognizing what a symbol that is and how it's really given freedom to people who weren't free before to be able to travel independently, and that came, result of the Veterans Administration.

**Tony Lewis:** And those are the things that we should be at the forefront of. And I just want to commend Arnold again, for his hard work. Arnold has been certainly steadfast, as you heard, with the parking. And again, with all the work that La Donna's done with it. And again, if we do have another event, I would just strong encourage people to come out, because it's really good to hear people's stories when they come out, and what's really resonating with people. There's a lot of people here who are caregivers, who are a little bit lost and struggling, and trying to figure out the different services that they can give to the people that they're assisting. Or people who are elderly, and who are becoming disabled and trying to figure out that path too, and what life's going to be like for them as disabled people. So it's a good service for us to offer, and it was good. So hopefully, more of you will come out and be a part of it. And just want to thank those who did come out, Abraham and Beth, of course, and Kerry who visited the table. She wasn't on the clock, but she came out and visited with us too. And just anyone else who I might have missed. But it certainly was a good couple of days.

**La Donna Franco:** I also just want to briefly say thank you. It was a great, wonderful couple of days. And I don't want to repeat everything that Arnold and Tony just mentioned, but I think it's a really great start, it has great potential. We're looking forward to being a part of any future events coming up or things like that together.

**Arnold Brillinger:** I'd like to kind of finish this off by saying that we should probably have a booth at the spring thing, down on Mother's Day.

**Kerry Parker:** Spring Festival.

**Arnold Brillinger:** Festival, okay, along with the Art and Wine. And also on Webster, when they do their days about the amusement park, that we are a part of all three of those. And I encourage you to be a part of it. And also, I think that it would be great if we could get... And I know, I've said this before, get this shuttle out there. Because most people in Alameda do not know that there is a free shuttle, three days a week. They're talking about increasing the times that it runs and also where it runs to, like the Fruitvale BART. But I haven't seen any of those things happening lately. So I know

that they're very busy with other things, too.

**Kerry Parker:** I strongly suggest the Events Committee coordinate with Rochelle Wheeler about coordinating a shuttle, I think she discussed with me that if she had more lead time, she could figure it out in the budget, and to reserve that shuttle. So it's something for the Events Committee to talk to Rochelle about.

**Arnold Brillinger:** Okay. Because with the shuttle being there, it would bring it to mind and people would say, "Why is that bus in the middle of the street?" Or whatever, and we could talk about, "Hey, this is a service here in the City of Alameda, use it."

**Elizabeth Kenny:** I just want to thank you all, I think that it was a great event, and that you guys are really doing amazing work. There was so much information about different resources there. And yes, the people I talked with, some just had no idea about basic resources that are available. So I think this is very important, and I love your idea, Tony, to keep going, and going to these other events. What I would like to propose is that we take a vote to authorize the Event Committee to sign up for future events. You can ask us to volunteer with them, but if you hear events like the one at the middle school, or if Mastick is having an event, that you guys should sign us up and we'll still help, but I want you guys to have that autonomy. So that's what I propose, is that we give the Events Committee the autonomy to sign us up for different events. Do I have a second? .

**Tony Lewis:** Well, I would just like amend, just a little bit, because I really do want people from the committee not to feel that it's just this committee that will initiate these things. I think that we all hear about things, and are aware of different things are going on in the committee. And it doesn't have to be just the committee of three, because we're all on this Disability Commission. And I just really don't want it to turn into just three people. I'd like to see more people. Because I don't know everything that's happening in the city, and La Donna and Arnold don't know. But as a Committee, we really need to work together, and bring it up to the meetings, send out an email, whatever we can to really get things going. And if we need to setup an ad hoc committee to support it, that's my thought on it.

**Elizabeth Kenny:** So, are you suggesting... I'm just trying to understand what you're suggesting, that you don't want the Events Committee to be moving forward? Or you want... Because we can't...

**Tony Lewis:** Well, that's just my thought. I don't know, Arnold and La Donna may have a different thought.

**La Donna Franco:** No, I think we're on the same page about that, thank you for mentioning that. No, I would be more than happy to move forward. I think we spoke about adding possibly one more person to an Events Committee. So, just in case of emergency, or other needs that we might have, a person may be able to deliver materials and just be there as a fourth...

**Tony Lewis:** Because it's a lot of work.

**Elizabeth Kenny:** I think that's a great idea, yes.

**La Donna Franco:** And that part did become, physically, a bit of work.



**Elizabeth Kenny:** Yes.

**La Donna Franco:** So I think more support would be helpful, moving forward.

**Elizabeth Kenny:** I think that's a great idea, because I do want to support you guys as much as possible. So, is there anyone who would like to join the Events Committee who's not on it right now? Or if nobody else does, I would definitely join. Commissioner Hall, would you like to join the Events Committee?

**Lisa Hall:** I would love to, I love doing events and I'm still driving, so I think that would be a wonderful way I could try to learn about how things work, and get involved.

**Elizabeth Kenny:** Great, thank you.

**Tony Lewis:** And we have the greatest meeting places, I have to tell you.

[laughter]

**Arnold Brillinger:** That's what I was going to say too, between the Blue Danube and the crepe place...

**Tony Lewis:** Oh, don't tell all of our secrets.

[laughter]

**Tony Lewis:** We are on TV after all.

**Arnold Brillinger:** No, we're not going to tell where we had the beers.

[laughter]

**Arnold Brillinger:** So, there's some good places.

**S?:** Thank you, Elizabeth.

**Elizabeth Kenny:** So given the intent that it will not just be the four of you attending these events, and staffing, and doing all the work for these events, but that if you are able to sign us up for events without having to come back to report it, just because timewise, especially now that we've had almost a four-month break, it would have been impossible to get permission from the Commission to do these things. So, I'd like to authorize you to do that. Again, with the intent that the rest of the Commission will still be involved. But you, four, will be the primary. Do I have a second?

**Arnold Brillinger:** I second.

**Elizabeth Kenny:** All in favor?

**All:** Aye.

**Elizabeth Kenny:** Any opposed? Great.

#### **4-C    Revisit Highlights of ADA Conference (Attendees)**

**Elizabeth Kenny:** I think with that we can move on to Item 4C, which is, several of our Commissioners attended an ADA Conference, and we wanted to hear your thoughts on the conference, and any information you wanted to share about that experience. So I believe, Arnold, La Donna, did you attend? And Tony, you also attended?

**Arnold Brillinger:** Tony was there.

**Elizabeth Kenny:** So, is there any pieces of information you'd like to share with the Commission from that meeting?

**Tony Lewis:** Well, the one I was most interested in was the one, I think Kerry sent out a timely email about service animals. And we went over the ideas proposed, was the whole idea about service animals, when businesses could refuse a person, the rights of the individuals with service animals, and just to find out what businesses actually had the right to, I was surprised to hear that churches are one of the few that were exempt under the ADA, that they didn't necessarily have to comply with that. So, that was interesting for me. And timely, speaking of the fair, I was with another person who was blind at the event that we did in July, and she had a service animal and we were taking Uber and we were refused by the Uber driver. And just to see how that whole process played out with Uber, I won't go into the details about it, because there was a lot of stuff around it. But just really going over, and I think it was helpful just being at the meeting to really get an understanding about when situations like that do come up, when it is blatant discrimination, what your rights are, and how you deal with the discrimination without it being a long drawn out process. So, that was one of the things.

**La Donna Franco:** My thoughts about that workshop as well, that was a very poignant one for me as well. And just noting the two questions, particularly for businesses to ask individuals with disabilities about their service animal, "Is this animal required because of a disability?" And, "What work or task has this animal been trained to perform?" Being the only two questions that they are allowed to ask. And when it's presented, or asked out of the spirit of respect and civility, those are relevant questions, I think, and should be applied. I think the difficulties come when there's the confusion on what rights we do have, how much information is confidential. And a person's medical condition is confidential, it is not informed with the knowledge, or a business does not need to know that. So I think having these two questions on hand for businesses for individuals are very, very important.

**Arnold Brillinger:** I would like to thank Kerry, because she's the one who figured out that the city could send four people to this conference and pay for it. Because I was going to go by myself... Or not by myself, but as a single person, to find out what was going on. But thank you, Kerry, for doing that. And we need to remember that if there are things that come up, there is some money in the budget for educational, right?

**Kerry Parker:** Right, education and conferences. Very specific and has something to do with the... Or r business license. And it is set aside for education, as I understand it. That is the interpretation that what the fund is used for right now... Conferences like that. I don't know that we would be able

to put people up in hotels or that sort of thing, but we can certainly get the fees to get the folks out. And we should note this for next year. Or if you want to go next year, we can set that up early and get everything ready to go. We did it kind of last minute this time, but it worked out just fine.

**Anto Aghapekian:** After two days of really good fun, waking up early in the morning and hopping on the ferry boat, and going to a conference, that was fun. But more fun was all the resources that were available during the two days, I was amazed how much knowledge was being distributed that day, or during those two days. The one that struck me the most was when they spoke about the civil rights, and how important it was that we do consider Title 13 to be not only an ordinance, but it is part of our civil rights, it's part of our Constitution. And that struck me very, very strongly, and I'm glad that it did, it was a wakeup call. But the rest was just a revision of the standards, architectural codes, and the guidelines, it was just a revision, a refresher. But also it reminded me that there are many confusing guidelines between Federal, the State and the local ordinances, each one has its own definition, and its own guidelines. So, I would call it a moving target, you're guessing, basically, which code to comply with. So it is difficult to navigate that.

**Anto Aghapekian:** But other than that, it was very educational, it was captivating, there were some conferences that were happening at the same time and we jumped going back and forth between the conferences, listening 10 minutes here to 10 minutes there, just to pick up as to what was going on. It was fascinating, and I hope that they'll have it again, and I would love to go, and encourage the other Commissioner also to go, it was very educational.

**Elizabeth Kenny:** Thank you very much.

**La Donna Franco:** Excuse me, Commissioner Kenny, if I can just add one more thing and maybe propose something to the Commission. As far as the service animal workshop goes, there was so much information, I was thinking and wanted to propose to the Commission if inviting a representative from the ADA, Pacific ADA Center, to speak on service animals with a brief presentation, and make that more accessible to Alameda businesses at large?

**Elizabeth Kenny:** I think that would be a great idea, and we can look into that. Currently our December meeting agenda is pretty full, we're going to be discussing emergency preparedness. We have several different presenters. So it would be great to set it up for the February meeting.

**La Donna Franco:** Thank you.

**Tony Lewis:** I just wanted to mention along with that emergency preparedness, and I don't know who the person is that's speaking, but we did have a person from Sacramento who spoke on emergency preparedness, and how many cities, counties have emergency preparedness plans that include people with disabilities. And I'm not sure if that's...

**Kerry Parker:** Tony, I wonder what they want to speak to us about. Public Works wishes to have Sharon Oliver from the Fire Department, and she's our Disaster Preparedness Director, er, I can't remember what her title is, but it's something like that, she wants to come and speak with the Commission about that very thing. Sorry to interrupt you.

**Tony Lewis:** Okay. Yes, well I'm just saying that on a State level, this person was outlining what was required in terms of emergency preparedness for people with disabilities. So I don't know if

that would be relevant or not, maybe she's going to be covering that and it wouldn't be necessary. But that was also a person who was at one of the workshops, at our meeting.

**Elizabeth Kenny:** Great. I would love to see the State stuff, what is required.

**Tony Lewis:** Okay, I'll get you his information I stole off his card.

**Elizabeth Kenny:** So if that concludes the highlights of the ADA conference, I'd like to move on to old business, and Item 5A, discuss Universal Design Ordinance update.

#### **5-A Discuss Universal Design Ordinance update (Chair Kenny)**

**Kerry Parker:** Chair Kenny, I would like to say for the record that we have a new attachment that has been since this agenda was posted, although it's now on the city website, if should you look at the agenda for tonight, and it a 5A public comment, which is a letter from a developer regarding the Universal Design Ordinance as it is written right now. Just want to add that.

**Elizabeth Kenny:** Thank you. I believe we also have public comment in person on this agenda item. Okay, so to give you all an update, you received along with your agenda the current proposed Alameda Universal Design Ordinance, and some accessibility charts that Commissioner Brillinger found for us, which really helped me understanding the difference between Universal Design and visitability. And that's important for our Universal Design Ordinance, because we are asking for there to be visitability requirements within Universal Design Ordinance, and we're asking for those to be a 100% across the board.

**Elizabeth Kenny:** So in this chart, the things in blue, the first three items, that is all that's required to make the visitability standard. And the visitability movement came out of Atlanta, and it's the idea that people should be able to visit their friends, they should be able to... Even if they're not living in a house, they should at least be able to come over and visit with their friends. So that they have no step entrance. The doorway is wide enough for them to get in, and there's an accessible bathroom for them to go there. So that's the three requirements of visitability. Now if you continue down, there was a part of Universal Design, but Universal Design encompasses all the other aspects on the chart as well. So the other aspects, we have been asking that 30% of all new developments, residential developments with five or more units meet the Universal Design requirements. The Planning Department has suggested 20% and carving out a special exemption for townhouses, because they are working on limited amount of floor space, but we are not in agreement on that issue.

**Elizabeth Kenny:** I think that we would like to see that for all residential developments, and with the idea that we've also asked for some sort of reporting mechanism in the ordinance, so that the city can see whether this is something that we should be doing for all projects, all residential projects, and not just new construction. But that is something that we want to have assessed and look at down further down the road once we have the Universal Design Ordinance in place. The Planning Board met on Monday night to look at the Universal Design Ordinance, and they also had the letter that Kerry was speaking about from a developer who raises concerns about the ordinance being overreaching, and going beyond what the State model has asked for. And that's nothing that we weren't aware of, we knew that we wanted to ask for more than what the State minimum was.

**Elizabeth Kenny:** And so I know it's going to be reviewed by the City Attorney's Office, but I think the next step to have happen is that there will be another draft. Andrew Thomas has said that we should expect it in about two to three weeks, after he met with the Planning Board. And he's hoping that we can have it approved by the Commission on Disability Issues, and in the Planning Board before the end of the year, with the idea that first meeting of the new year, we'd get it before City Council. I hope that that's the actual timeline, but I'm not 100% sure that we'll be able to meet that. So I guess if anyone has any questions or comments. Did any other Commissioners have anything they'd like to say at this point?

**Susan T. Deutsch:** Well, I mean I read this letter, and it seems like the objections of this... I guess it's a construction company, it's related to the cost of what we're proposing that it would cost too much. But in this letter, they don't really specify what items we are requesting, cost. So I really feel like we need more information. I mean he's just saying, "We're overreaching. It's going to cost too much." And we kind of expected that response, but we really need to know, well what is it that's costing too much? So that we can figure out what should we be demanding? What can we pull back on? Or, should we push through what we want?

**Elizabeth Kenny:** I believe we have a public comment on this agenda item.

**Kerry Parker:** Chair Audrey Lord-Hausman would like to make a comment which she will do from the seat across from me.

**Audrey Lord-Hausman:** Thank you. Having been a part of the work group for a number of years, I do have a couple of comments. I agree with Commissioner Deutsch, who was also in the beginning. We don't want to do just the basic requirements, if Alameda wants to lead and show the county what can be done on behalf of persons who need Universal Design and accessibility and visibility, then let's overreach, let's go beyond the basics. One of the things that I saw in here was... It's on page two, on the first paragraph, it says that, "There is a requirement for California builders constructing new for sale residential units to provide a check list of universal accessibility features to potential buyers." Well, I think we've discussed this before, I've been to two developments in Alameda, went to the sales departments, they looked at me blankly, there was nothing there available to guide me as to any accessibility features. So right there, I think that sort of tells me that there's a lot of improvement that could be done by developers working together with the city. I think there was last... Not last year, this year, this spring, a gentleman came and spoke to us from the Oakland Disability Commission, Aaron Zisser?

**Susan T. Deutsch:** Yes.

**Audrey Lord-Hausman:** He was very, very knowledgeable, and it seems to me we're certainly going to go back to the table. And I think I would recommend that maybe it would be of value to invite him to counsel the Commission and the workgroup as to how to make this work as efficiently as possible. But clearly there's more to do, and I agree with Susan, then if it is more costly, I'd like to know what, I'd like a list, what is it? And if this ordinance "conflicts with State law" then I'd like to know what that is and encourage the Commission to ask some pretty strong questions. Thank you.

**Elizabeth Kenny:** Thank you.

**Anto Aghapekian:** I was part of the working committee, working on the guidelines of the Universal Design. And for me, this letter is a classic letter, it's a typical letter of a developer who is pushing back. And developers in the construction trade in general, they've been doing nothing but pushing back since 1973, this is nothing new. And they'll keep on pushing back until they do realize that they themselves are in need of a wheelchair, or a cane, or something. What we're asking is the result of many, many, many hours that people prior to my participation in that working committee have put in many hours working, and analyzing and studying all the statistics, the numbers, the need, and that's particularly for Alameda, it's not for the State of California. We, in Alameda, we feel the need of more housing that is accessible for people that have difficulties being up one step.

**Anto Aghapekian:** What we're asking is nothing extraordinary, what we're asking is the facility for people who visit friends, visit families, and be part of this city, be part of the family, instead of being neglected, which they had been for a long, long time. So I agree, Beth, we need to study this. And the letter, and I'm not surprised, an attorney has to study this, it's all legalese. And I'm in no rush, I would like to see this done as soon as possible, but I will not accommodate some developers schedule so that we pass this ordinance by January. I mean, why January? Why not February? Why not March? Why not December? So, I'm not too keen on setting a date, a deadline to finish this off.

**Arnold Brillinger:** This letter itself talks a lot about apartment buildings. Apartment buildings don't even have these problems, they are accessible just by the fact that they are apartments. And I do not think that the person who wrote this letter really has that much knowledge of building expertise as maybe the people in the Planning Board, or maybe Andrew. Even what we've learned from him tells me here, this person is just kind of blowing smoke. And I don't think that we should feel that we need to back down on anything, and maybe we even need to make some of the things stronger, and we shall see.

**Anto Aghapekian:** And I would also like to add that during the meetings, it became very obvious from the numbers that the city itself has prepared that there is a demand for housing that's accessible. The demand is there, the numbers, the facts are not provided to us by the city. So if the demand is there and people are looking for it, why not supply? And we're not begging.

**Arnold Brillinger:** Also, now Audrey mentioned that they kind of look like deer in the headlights or something, right? When you asked him about what kinds of things are you offering. I also went and they gave me a couple of sheets that looked like were run off on the old mimeograph machine.

**Arnold Brillinger:** Even if you give that out to people, they're not going to even look at it twice. And it needs to be some kind of a nice fancy brochure, a slick brochure to hand out to people. But as it is, when this person talks about the State, what they suggest, that's the bare minimum. Again, we do not want to be the bare minimum. We are not Omaha, Nebraska, or something like that, they can just keep on ploughing under the cornfields outside of the city limits and make them into housing. When we build these houses out there on the Naval Air Station, after that where do you have a space large enough to put up more than a couple of houses at one time? You don't have it. And if Alameda doesn't have visitable or accessible housing, at least for some of their buildings, which would be 100% of all the new ones, then you will just have a city that is basically unvisitable, and have grandma come over and enjoy Christmas afternoon with them, if she's in a wheelchair. There're so many different things. I know we don't have the time for it.

**Elizabeth Kenny:** We do have an additional public comment. Carol Gottstein?

**Carol Gottstein:** Hi, I'm Carol Gottstein... The way I have to speak, avoid the feedback and still be heard. I was asked by a member of the Planning Board to comment on the Universal Design Ordinance. And unbeknownst to me, but fortunately last night at the Planning Board, an architect, a man who designed Shinsei Gardens, his name is Eric Mikiten and he is in a wheelchair, and he is an AIA architect. He will be designing the access to, I think it's called Building 8 out at the base. And he came to speak on elements of Universal Design, and specifically compared the proposed draft ordinance of Alameda to the existing ordinances of Fremont, Dublin, Hayward, Sacramento because a lot of it's borrowed from pre-existing ordinances. There's some problems with our ordinance irrespective of the letter that was submitted so it still needs some work.

**Carol Gottstein:** One thing I noticed, and that this architect also remarked on, is that the builder of the residence has an obligation to offer and to offer to install Universal Design features, but the buyer has to pay for them. So you could conceivably have people with the identical disability, but one of them could afford the design features, and one of them couldn't. And that seems a little lacking in the social justice department, to me. I don't know how to get around it, but it's actually popped up in some of the other existing city Universal Design Ordinances that are already on the books. In ours, it's Section 18.7 on page 506. The letter that we have received is from Tim Lewis Communities, they're the developer that's building the Del Monte development. And I can understand why that company would object, because they're trying to fit a certain number of units, basically the maximum number, in an already confined space, they can't go outside the brick walls of the Del Monte Cannery.

**Carol Gottstein:** So, if you require that entrances be wider and aisles be wider, they're going to have to give up some of the units they've already planned to put in the same space. Anyway, if you're thinking of having a speaker come, I would really encourage you to invite this Erick Mikiten, who has an architecture firm in Berkeley, because he was great. Thanks.

**Elizabeth Kenny:** Thank you. In our Joint Subcommittee meetings, we did discuss Section 18.7 being problematic, and just unclear. So thank you, and I agree. Have any other comments on this agenda item?

**Susan T. Deutsch:** Well, it's just, when we first started this committee, and working on Universal Design, somebody else came and spoke to us. And it was somebody who Kelly knew, and she presented the concept of Universal Design. And she also, pretty clear, that it doesn't cost more to build homes or units with Universal Design. And I'd like to try to find her input. Because she was giving examples of other cities that have done it. And they really had very good design ordinances. I'd like to try to find out.

**Elizabeth Kenny:** Great, yes. We can definitely get in touch with former Commissioner Harp, find who has contact information.

**Susan T. Deutsch:** Yes. And I might have the contact information, too.

**Elizabeth Kenny:** So I think that concludes old business. And we're going into staff communications.

## **6. STAFF COMMUNICATIONS**

**Kerry Parker:** As I have shared with you a couple of times regarding the minutes, that was important to staff. For the next meeting, Gail Payne has asked to come back and speak about the transportation item that she brought before you last June. She wants to come back and let everyone know how the analysis has gone. And then, as I said earlier, the Public Works Director is asking to bring an item to the CDI agenda, because the Emergency Operations Center that is being built in mid-Island is really looking like a building now. And he's wanting Sharon Oliver to talk about emergency preparedness as it relates to the disabled community in Alameda, and how to organize that better than it is right now, to address the need. So that's kind of what staff is looking at. We definitely have the December meeting stacked with those two large items. But yes, regarding agendas for meetings, I'm still open to hearing ideas. Beth and I kind of discuss them before we set them, but if you have any suggestions, email Beth and I for agenda items.

**Elizabeth Kenny:** Thank you, Kerry.

## **7. ANNOUNCEMENTS**

**Elizabeth Kenny:** I would like to let everybody know that this is National Disability Employment Awareness Month, and the city will be doing a proclamation at the next City Council meeting, which is next Tuesday night. I will be here to receive the proclamation, but all are welcome to attend. And if you have a chance, you should really check out the National Disability Employment Awareness Month website. They have some really great resources and information on there. I believe Lisa Hall had an announcement.

**Lisa Hall:** Thank you. As Tony brought up, I picked up this... There is a project seminar awareness put on at Will C. Wood School. It's sponsored by the Asian-American, Native Hawaiian, Pacific-Islander Disability Awareness Project. And it's on Saturday, October 22nd, from 10:00 to 2:00. And making their logo, *Making the Invisible Visible, Breaking the Stigma*. So I was planning on going.

**La Donna Franco:** I will see you there as well, I plan on going.

**Elizabeth Kenny:** Great. And is there any other announcements that people would like to make?

**Tony Lewis:** Yes. I just want to just reiterate the additional proclamation about White Cane Day. I know that we can't do it... Well, my understanding is, we can't do it, but there is a standard proclamation that does come out, and I think I forwarded it to you, Beth, the information about White Cane Day. And the significance of that is it came out of the Veterans Administration, and that's a major proclamation that came about in 1964 and its gained traction under the Obama administration. And many cities have issued this proclamation. And I would certainly like to see it become a standard in Alameda, that we have the proclamation declared, since it is something that has been changed for blind specifically, and is a standard in most cities, in San Francisco, Berkeley, Sacramento and other cities. The date is October 15th, and I'd like to see that become a regular statement in Alameda. So, probably can't happen this year, but just something to keep in mind that maybe we can send it out for everybody to see, maybe it's something that we'd like to make happen next year.

**Kerry Parker:** And that's something we can definitely organize on the staff level. I was just given a calendar today of how far in advance I need to set an item on the council agenda, and that's about a



month and a half. So if we can get something organized next year, let's even say it's in August, and you send me an email, we can get a proclamation drawn up. We can take the model that you have, and we can make it into something that perhaps can get on the council agenda for next October 15th. I'm totally open to that. We just need to have a little bit more planning time.

**Elizabeth Kenny:** Great. Yes, I think it would be wonderful, I definitely think the city would be open to having a proclamation for White Cane Day.

**Kerry Parker:** Yes.

**Elizabeth Kenny:** Great. So are there any other announcements?

**Arnold Brillinger:** I received an email the other day, I don't know if all of you did or not, about BART is showing some of their new cars from the Fleet of the Future, and it is on the weekend of the 15th and 16th, also on the 29th and 30th. The four different places here in the East Bay, one of them is at the MacArthur Station on the 16th, from 11:00 to 4:00. And it's a good idea to go up there and see what the new BART cars look like. They've got three doors. They would like to have input from all kinds of people, as they already have, but as much feedback as possible is appreciated, and especially from the disabled community. That would be great.

**Elizabeth Kenny:** Yes, I have heard some concerns from the disabled community regarding these, so it would be nice to be able to check them out in person. Thank you.

**Tony Lewis:** Where is it going to be this weekend, Arnold?

**Arnold Brillinger:** This weekend, I think that on Saturday, it's at Pleasant Hill. On Sunday, it's at the MacArthur Station. And then there's also one on the weekend of the 29th and 30th, there is one in Dublin/Pleasanton area. In fact, how about if I just forward the email to all the Commissioners? Alright?

**Elizabeth Kenny:** Alright.

**Arnold Brillinger:** And then if you see a date in there that you want to go and check them out, it's really interesting to go out to see them.

**Kerry Parker:** You can forward it to me and I'd be happy to forward it to the listserv.

**Arnold Brillinger:** Oh, that's what I'll do. Kerry, I'll send it to you and then...

**Kerry Parker:** Forward it on.

**Arnold Brillinger:** Yes.

**Elizabeth Kenny:** Great, thank you. Does anyone else have an announcement? Great. Then I think we are ready to adjourn this meeting. Thank you all very much.

## **8. ADJOURNMENT**

The meeting adjourned at 8:12 p.m.

Respectfully submitted,

Kerry Parker  
City Staff Liaison  
Commission on Disability Issues