



**BERKELEY CITY COUNCIL FACILITIES, INFRASTRUCTURE,  
TRANSPORTATION, ENVIRONMENT & SUSTAINABILITY COMMITTEE  
REGULAR MEETING**

**Wednesday, July 2, 2025  
2:00 PM**

Redwood Room – 2180 Milvia Street, 6th Floor, Berkeley, CA 94704

Committee Members:

Councilmembers Terry Taplin, Cecilia Lunaparra, and Mark Humbert  
Alternate: Mayor Adena Ishii

This meeting will be conducted in a hybrid model with both in-person attendance and virtual participation. All Committee meetings are recorded.

Use this URL <https://cityofberkeley-info.zoomgov.com/j/1611012421> to access the meeting remotely. To request to speak, use the “raise hand” function in Zoom. To join by phone: Dial **1-669-254-5252 or 1-833-568-8864 (Toll Free)** and Enter **Meeting ID: 161 101 2421**. To provide public comment, press \*9 and wait to be recognized by the Chair. To submit a written communication for the Committee’s consideration and inclusion in the public record, email [policycommittee@berkeleyca.gov](mailto:policycommittee@berkeleyca.gov).

This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953. Any member of the public may attend this meeting, however, if you are feeling sick, please do not attend the meeting in person.

Pursuant to the City Council Rules of Procedure and State Law, the presiding officer may remove, or cause the removal of, an individual for disrupting the meeting. Prior to removing an individual, the presiding officer shall warn the individual that their behavior is disrupting the meeting and that their failure to cease their behavior may result in their removal. The presiding officer may then remove the individual if they do not promptly cease their disruptive behavior. “Disrupting” means engaging in behavior during a meeting of a legislative body that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting and includes, but is not limited to, a failure to comply with reasonable and lawful regulations adopted by a legislative body, or engaging in behavior that constitutes use of force or a true threat of force.

**California Government Code Section 84308 (Levine Act)** Parties to a proceeding involving a license, permit, or other entitlement for use are required to disclose if they made contributions over \$500 within the prior 12 months to any City employee or officer. Parties and participants with a financial interest are prohibited from making more than \$500 in contributions to a decisionmaker for the 12 months after the final decision is rendered on the proceeding. The above contribution disclosures and restrictions do not apply when the proceeding is competitively bid, or involves a personnel or labor contract. For more information, see Government Code Section 84308.

# AGENDA

## Roll Call

## Public Comment on Non-Agenda Matters

## Minutes for Approval

*Draft minutes for the Committee's consideration and approval.*

### 1. Minutes - May 7, 2025

## Committee Action Items

*The public may comment on each item listed on the agenda for action as the item is taken up. The Chair will determine the number of persons interested in speaking on each item. Up to ten (10) speakers may speak for two minutes. If there are more than ten persons interested in speaking, the Chair may limit the public comment for all speakers to one minute per speaker. Speakers are permitted to yield their time to one other speaker, however no one speaker shall have more than four minutes.*

*Following review and discussion of the items listed below, the Committee may continue an item to a future committee meeting, or refer the item to the City Council.*

### 2. Discussion Item: Bike Plan Update

**From: Councilmember Taplin (Author)**

Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120

### 3a. Enforcement of Public Right-of-Way Accessibility Guidelines (PROWAG)

**From: Commission on Disability**

**Referred: May 20, 2025**

**Due: October 27, 2025**

**Recommendation:** The Berkeley City Council shall refer to the City Attorney the requirement to include, in all City of Berkeley contracts that impact the public right-of-way, a clause that obligates City contractors to comply with the Public Right-of-Way Accessibility Guidelines (PROWAG).

**Financial Implications:** See report

Contact: Thomas Gregory, Commission Secretary, (510) 981-6300

### 3b. Companion Report: Enforcement of Public Right-of-Way Accessibility Guidelines (PROWAG)

**From: City Manager**

**Referred: May 20, 2025**

**Due: October 27, 2025**

**Recommendation:** The City Manager recommends that the Public Right-of Way Accessibilities Guidelines item be referred to the Facilities, Infrastructure, Transportation, Environment and Sustainability Committee for discussion of potential impacts.

**Financial Implications:** See report

Contact: Terrance Davis, Public Works, (510) 981-6300

## Unscheduled Items

*These items are not scheduled for discussion or action at this meeting. The Committee may schedule these items to the Action Calendar of a future Committee meeting.*

- 4. Discussion Item: Measure FF Next Steps**  
**From: Councilmember Taplin (Author)**  
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120

## Items for Future Agendas

- **Requests by Committee Members to add items to the next agenda**

## Adjournment

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*Written communications addressed to the Facilities, Infrastructure, Transportation, Environment & Sustainability Committee and submitted to the City Clerk Department will be distributed to the Committee in advance of the meeting and retained as part of the official record.*

*This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953 and applicable Executive Orders as issued by the Governor that are currently in effect. Members of the City Council who are not members of the standing committee may attend a standing committee meeting even if it results in a quorum being present, provided that the non-members only act as observers and do not participate in the meeting. If only one member of the Council who is not a member of the committee is present for the meeting, the member may participate in the meeting because less than a quorum of the full Council is present. Any member of the public may attend this meeting. Questions regarding public participation may be addressed to the City Clerk Department (510) 981-6900.*



### COMMUNICATION ACCESS INFORMATION:

This meeting is being held in a wheelchair accessible location. To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at [ada@berkeleyca.gov](mailto:ada@berkeleyca.gov), (510) 981-6418 (V), or (510) 981-6347 (TDD) at least three business days before the meeting date. Attendees at public meetings are reminded that other attendees may be sensitive to various scents, whether natural or manufactured, in products and materials. Please help the City respect these needs.

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I hereby certify that the agenda for this meeting of the Standing Committee of the Berkeley City Council was posted at the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way, as well as on the City's website, on June 26, 2025.



Mark Numainville, City Clerk

## **Communications**

*Communications submitted to City Council Policy Committees are on file in the City Clerk Department at 2180 Milvia Street, 1st Floor, Berkeley, CA, and are available upon request by contacting the City Clerk Department at (510) 981-6908 or [policycommittee@berkeleyca.gov](mailto:policycommittee@berkeleyca.gov).*

**BERKELEY CITY COUNCIL FACILITIES, INFRASTRUCTURE,  
TRANSPORTATION, ENVIRONMENT & SUSTAINABILITY COMMITTEE  
REGULAR MEETING MINUTES**

**Wednesday, May 7, 2025  
2:00 PM**

Redwood Room – 2180 Milvia Street, 6th Floor, Berkeley, CA 94704

Committee Members:

Councilmembers Terry Taplin, Cecilia Lunaparra, and Mark Humbert  
Alternate: Mayor Adena Ishii

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## MINUTES

**Roll Call:** 2:06 p.m.

**Present:** Councilmembers Lunaparra, Humbert, Taplin

**Public Comment on Non-Agenda Matters:** 2 speakers.

### Minutes for Approval

*Draft minutes for the Committee's consideration and approval.*

**1. Minutes - March 19, 2025**

**Action:** M/S/C (Humbert/Lunaparra) to approve the March 19, 2025 minutes.

**Vote:** All Ayes.

### Committee Action Items

*The public may comment on each item listed on the agenda for action as the item is taken up. The Chair will determine the number of persons interested in speaking on each item. Up to ten (10) speakers may speak for two minutes. If there are more than ten persons interested in speaking, the Chair may limit the public comment for all speakers to one minute per speaker. Speakers are permitted to yield their time to one other speaker, however no one speaker shall have more than four minutes.*

*Following review and discussion of the items listed below, the Committee may continue an item to a future committee meeting, or refer the item to the City Council.*

**2. Referral: Oxford for All**

**From:** Councilmember Tregub (Author), Councilmember Lunaparra (Co-Sponsor)

**Referred:** April 14, 2025

**Due:** September 22, 2025

**Recommendation:** 1. Refer to the City Manager to design and construct a quick-build class IV bicycle facility on the east side of Oxford Street and Fulton Street between Bancroft Way and Hearst Avenue and implement pedestrian safety improvements on the corridor, potentially through quick-build planning and construction methods.

2. Refer \$400,000 to the June budget process (FY26 Mid-Biennial Update) to provide the City of Berkeley Public Works Department with necessary funds to support design, engineering, and construction costs for the project.

3. Refer to the City Manager and to The City/UC/Student Relations "4x6" Committee to explore opportunities to leverage existing and establish new financial partnerships with UC Berkeley on safety projects along Oxford Street and adjacent areas, including the Oxford and Bancroft volleyball courts project and similar initiatives.

**Financial Implications:** See report

Contact: Igor Tregub, Councilmember, District 4, (510) 981-7140

**Action:** 1 speaker. M/S/C (Humbert/Lunaparra) to send the item to City Council with a positive recommendation.

**Vote:** All Ayes.

## Items for Future Agendas

- Discussion item on Measure FF Next Steps and discussion item on Bike Plan Update

## Adjournment

Adjourned at 2:29p.m.

I hereby certify that the foregoing is a true and correct record of the Facilities, Infrastructure, Transportation, Environment & Sustainability Committee meeting held on May 7, 2025.

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Denise Burgara, Assistant City Clerk

## Communications

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No Material  
Available for  
this Item

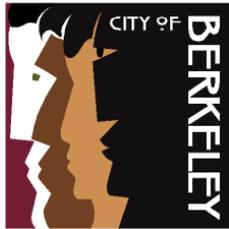
There is no material for this item.

**City Clerk Department**  
2180 Milvia Street  
Berkeley, CA 94704  
(510) 981-6900

**The City of Berkeley Facilities, Infrastructure, Transportation, Environment & Sustainability Policy Committee Webpage:**

<https://berkeleyca.gov/your-government/city-council/council-committees/policy-committee-facilities-infrastructure-transportation-environment-sustainability>





Commission on Disability

**03a**

ACTION CALENDAR  
06/03/2025

To: Honorable Mayor and Members of the City Council  
 From: Commission on Disability  
 Submitted by: Kathi Pugh, Chairperson  
 Subject: Enforcement of Public Right-of-Way Accessibility Guidelines (PROWAG)

### RECOMMENDATION

The Berkeley City Council shall refer to the City Attorney the requirement to include, in all City of Berkeley contracts that impact the public right-of-way, a clause that obligates City contractors to comply with the Public Right-of-Way Accessibility Guidelines (PROWAG).

### FISCAL IMPACTS OF RECOMMENDATION

Examples of PROWAG contract clauses are readily available to the Office of the City Attorney. Adoption of this recommendation should not require significant time or expense.

The City currently has a staff position assigned to investigate, monitor and enforce PROWAG. The job description of the City's ADA Program Coordinator states that "under general supervision" the position is tasked with "implementation of the City's ADA program which includes...receiving and investigating grievance, reviewing projects plans for accessibility, [and] training city staff."

### CURRENT SITUATION AND ITS EFFECTS

Both the ADA Program Coordinator and 311 receive complaints when disabled pedestrians and wheelchair users confront hazardous conditions in the public right-of-way. City staff time, significantly by the ADA Program Coordinator, is already used to, in many cases, successfully secure compliance with PROWAG. In some cases, City contractors refuse to comply with accessibility guidelines—because the requirement to comply is not stipulated in their contract. This is often on large, months-long City projects that significantly alter and disrupt the public right-of-way.

Failure to comply with PROWAG creates serious safety hazards for people with disabilities. At times, wheelchair users are forced into busy streets when PROWAG is not followed. In 2024-2025, this occurred repeatedly at projects on Bancroft/Fulton, University and Shattuck Avenues.

In addition, Audible Information Devices that warn blind and low vision individuals about blocked and alternate routes are rarely used by City contractors or private construction companies. When employed, these warning devices are frequently useless. They are, with regularity, incorrectly placed, not operating and inaudible. The routine failure to address accessibility for blind and low vision pedestrians creates manifestly unsafe conditions.

The City of Berkeley Public Works Department must develop proactive and effective educational, monitoring and enforcement systems to ensure that disruptions in the public right-of-way, whether performed by the City, its contractors, or during private construction projects, conform to PROWAG standards. When the City is informed of potential violations, timely investigation and remediation must bring violations into PROWAG compliance.

With the passage of Measure FF and the significant street redesign projects that will result, complying with PROWAG technical standards—in both design and construction—is imperative. Over many years, significant resources will be devoted to improving the condition and safety of Berkeley streets and sidewalks. Attention to PROWAG must be the rule—and included in City contracts. When envisioning Berkeley's future, Safe Streets must include the safety of people with disabilities.

### BACKGROUND

PROWAG defines aspects of the ADA not specified at the time of the groundbreaking law's passage in 1990. The ADA never specifically addressed accessibility in areas deemed the "public right-of-way." To support implementation of the ADA, the U.S. Access Board, a federal agency charged with promoting "equality for people with disabilities through leadership in accessible design and the development of accessibility guidelines and standards" created PROWAG. These accessibility guidelines were developed over the past two decades.

PROWAG was entered into the Federal Register in 2023 and adopted by the U.S. Department of Transportation in 2024. The City of Berkeley's 2020 Pedestrian Plan, Appendix B: Engineering and Design Guidance references PROWAG numerous times. CalTrans uses its technical standards. It is considered best practice. Yet, it does not hold the force of federally-mandated law. Because of this, the City's ADA Program Coordinator has indicated that some City contractors are unwilling to follow PROWAG. This obstacle to securing the rights and safety of people with disabilities can be overcome by including a PROWAG clause in City contracts.

PROWAG will define the access standards expected by the City of Berkeley in the public right-of-way. It will make clear the City's commitment to accessibility guidelines, empower the ADA Program Coordinator to enforce those guidelines and give the City legal recourse should contractors fail to comply with the contract.

Yet a contract clause, without monitoring and enforcement of its obligations, is meaningless. For implementation, this recommendation requires a Public Works Department committed to the principles and technical standards outlined in PROWAG. We expect—and the City should secure—this level of accessibility and safety for the disability community.

The Commission on Disability took the following action at its April 9, 2025 meeting:

Action: Motion(Fischer/Pugh):To approve the recommendation to City Council regarding the enforcement of PROWAG, with the ability to make small edits regarding Caltrans and the City's use of PROWAG.

Votes: Ayes: Walsh, Fischer, Pugh, Sun, Lewkowicz, Mann, and Holloway;.Nays: None  
Abstain: None; Unexcused Absence: None; Leave of Absence: Paz

#### ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

None.

#### RATIONALE FOR RECOMMENDATION

The PROWAG Contract Clause recommendation is a Strategic Plan Priority Project, advancing the City's goals in multiple areas:

- provide state-of-the-art, well-maintained infrastructure, amenities, and facilities;
- create a resilient, safe, connected, and prepared city;
- champion and demonstrate social and racial equity.

#### ALTERNATIVE ACTIONS CONSIDERED

No alternative actions have been considered.

#### CITY MANAGER

The City Manager recommends referring this item to the FITES Committee to better understand the potential costs and time impacts of undertaking the recommendation to streetscape projects.

#### CONTACT PERSON

Thomas Gregory, ADA Program Coordinator, Public Works, 510-981-6418





Office of the City Manager

ACTION CALENDAR  
06/03/2025

To: Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

Submitted by: Terrance Davis, Director, Public Works

Subject: Companion Report: Enforcement of Public Right-of-Way Accessibility Guidelines (PROWAG)

RECOMMENDATION

The City Manager recommends that the Public Right-of Way Accessibilities Guidelines item be referred to the Facilities, Infrastructure, Transportation, Environment and Sustainability Committee for discussion of potential impacts.

FISCAL IMPACTS OF RECOMMENDATION

An assessment of comparable jurisdictions that currently adhere to PROWAG would need to be conducted to begin to understand the costs for implementation and the potential long-term impact on contracting and timelines for streetscape infrastructure.

Additionally, staff time for the administration of the recommendation has not yet been calculated within the following potentially impacted departments: City Attorney, Public Works; Parks Recreation and Waterfront; Planning and Building; Health Housing and Community Services; and Finance. City staff across multiple departments acting as project managers serve as contract monitors and are not currently trained in PROWAG requirements. Training expenses have not yet been determined.

Time to develop the contractual language needed for implementation would additionally impact the City Attorney's Office, which has not been consulted to calculate the exact staff time required or the potential need for an outside contractor to draft the provisions.

CURRENT SITUATION AND ITS EFFECTS

The City Manager recommends that Council refrain from referring this matter to the City Attorney's Office at this time. Staff would first need to assess capacity to monitor contractors' adherence to PROWAG and to determine how to take remedial steps if contractors fail to comply with PROWAG.

PROWAG is not incorporated in state or federal guidelines to which cities are required to adhere, and there are no funds tied to citywide implementation. If a contractor was unwilling or unable to comply with PROWAG, staff do not currently have clear protocols for when or how to terminate the noncompliant contract. Currently, there are no

protocols for determining if qualified alternative contactors are readily available to fill any gaps created by non-PROWAG compliant contractors. Adding compliance with PROWAG as a contractual duty may result in contractors requiring additional compensation.

Staff have yet to analyze current budgetary constraints to determine if recommended implementation costs are feasible.

### BACKGROUND

The Commission on Disability took the following action at its April 9, 2025 meeting:

Action: Motion(Fischer/Pugh):To approve the recommendation to City Council regarding the enforcement of PROWAG, with the ability to make small edits regarding Caltrans and the City's use of PROWAG.

Votes: Ayes: Walsh, Fischer, Pugh, Sun, Lewkowicz, Mann, and Holloway; Nays: None  
Abstain: None; Unexcused Absence: None; Leave of Absence: Paz

### ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

All future potential City contractors for projects related to lowering carbon emissions through upgrading the public right of way to encourage pedestrian and bicyclist use, would be required by the City to adhere to the PROWAG requirements. While many already do, including this in the contractual language, rather than in the design phase, may increase costs.

### RATIONALE FOR RECOMMENDATION

Better understanding the PROWAG project and cost implications would be prudent ahead of mandating they be made.

### ALTERNATIVE ACTIONS CONSIDERED

Staff could begin the process to study the cost of implementation, but the time required for that study would necessitate an outside contractor to supplement current staffing. A working group consisting of the aforementioned departments impacted by PROWAG requirements could be convened to begin to determine feasibility. There are not currently any funds dedicated in the City Budget for a study by an outside contractor or an interdepartmental working group.

### CONTACT PERSON

Thomas Gregory, ADA Program Coordinator, Public Works, 510-981-6418  
Wahid Amiri, Deputy Director, Public Works, 510-981-6396



No Material  
Available for  
this Item

There is no material for this item.

**City Clerk Department**  
2180 Milvia Street  
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(510) 981-6900

**The City of Berkeley Facilities, Infrastructure, Transportation, Environment & Sustainability Policy Committee Webpage:**

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