



Human Welfare and Community Action Commission

AGENDA

Wednesday, March 19, 2025
6:30 PM
2180 Milvia Street
Berkeley, CA 94704

Preliminary Matters

1. Roll Call
2. Agenda Approval
3. Public Comment

Update/Action Items

The Commission may take action related to any subject listed on the agenda, except where noted.

Berkeley Community Action Agency Board Business

4. Approve minutes from the 2/19/2025 Regular Meeting (Attachment A) – All
5. Community Services Block Grant Community Action Plan and Community Needs Assessment update – Staff
6. Commission seat vacancies update – Staff
7. Commission agenda items update – All
8. Review City of Berkeley funded agency Program and Financial reports (Attachment B) – Staff
 - a. Bay Area Outreach and Recreation Program (BORP) program and financial reports

Other Discussion Items

9. Discussion and possible action on review of 2024 outcomes and goal setting for 2025 – Lara Cruz
10. Discussion and possible action on a Council item regarding the City of Berkeley Single Audit for the year ended June 30, 2023 (Attachment C)– All
11. Discussion and possible action on ADA audits of City programs – Behm-Steinberg
12. Review latest City Council meeting agenda
13. Announcements
14. Future Agenda Items

Adjournment

Attachments

- A. Draft Minutes of the 2/19/2025 Meeting
- B. Program and financial reports from BORP
- C. City of Berkeley 2023 Single Audit Draft Council items

Review City Council Meeting Agenda at City Clerk Dept. or
<http://www.cityofberkeley.info/citycouncil>

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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 981-6418 (V) or 981-6347 (TDD) at least three business days before the meeting date. **Please refrain from wearing scented products to this meeting.**

Secretary:

Mary-Claire Katz
Health, Housing & Community Services Department
510-981-5414
mkatz@berkeleyca.gov

Mailing Address:

Human Welfare and Community Action Commission
Mary-Claire Katz, Secretary
2180 Milvia Street, 2nd Floor
Berkeley, CA 94704



Human Welfare and Community Action Commission

DRAFT MINUTES

Wednesday, February 19, 2025

6:30 PM

2180 Milvia Street
Berkeley, CA 94704

Preliminary Matters

1. Roll Call
Present: Bohn, Huchting, Lara Cruz, Lippman, Marisol, Sol
Absent: Behm-Steinberg (excused), Gaona
Quorum: 4 (Attended: 6)
Staff Present: Kat Larrowe.
Public Present: One.
2. Agenda Approval
No changes.
3. Public Comment
None.

Update/Action Items

The Commission may take action related to any subject listed on the agenda, except where noted.

Berkeley Community Action Agency Board Business

4. Approve minutes from the 1/29/2025 Regular Meeting (Attachment A) – All
Action: M/S/C (Lara Cruz/Sol) to approve the minutes from the 1/29/25 special meeting.
Vote: Ayes – Bohn, Huchting, Lara Cruz, Lippman, Marisol, Sol. Noes –None; Abstain – None; Absent – Behm-Steinberg (excused), Gaona.
5. Election of commission chair and vice chair – All
Action: M/S/C (Lippman/Marisol) to nominate Lara Cruz as chair.
Vote: Ayes – Bohn, Huchting, Lara Cruz, Lippman, Marisol, Sol. Noes –None; Abstain – None; Absent – Behm-Steinberg (excused), Gaona.

Action: M/S/C (Lippman/Huchting) to nominate Marisol as vice chair.
Vote: Ayes – Bohn, Huchting, Lara Cruz, Lippman, Marisol, Sol. Noes –None; Abstain – None; Absent – Behm-Steinberg (excused), Gaona.
6. Discussion and possible action on Commission Bylaws (Attachment B) – All
Action: M/S/C (Lara Cruz/Marisol) to approve the bylaws with the caveat that the suggested edits provided by the commission are incorporated before finalizing.
Vote: Ayes – Bohn, Huchting, Lara Cruz, Lippman, Marisol, Sol. Noes –None; Abstain – None; Absent – Behm-Steinberg (excused), Gaona.
7. Discussion and possible action on a draft revised strategic plan and Council item for the HWCAC (Attachment C) – Commissioner Lara Cruz

Action: M/S/C (Lippman/Huchting) to submit the strategic plan to City staff for review and finalization and, if there are no edits from staff, accept this edited version as the final version.

Vote: Ayes – Bohn, Huchting, Lara Cruz, Lippman, Marisol, Sol. Noes –None; Abstain – None; Absent – Behm-Steinberg (excused), Gaona.

8. Review City of Berkeley funded agency Program and Financial reports (Attachment D) – Staff
 - a. Through The Looking Glass program and financial reports
No action taken.

Other Discussion Items

9. Discussion and possible action on a Council item regarding the City of Berkeley Single Audit for the year ended June 30, 2023 (Attachment E)– All
No action taken.
10. Discussion and possible action on ADA audits of City programs – Behm-Steinberg
No action taken.
11. Review latest City Council meeting agenda
No action taken.
12. Announcements
None.
13. Future Agenda Items
None.

Adjournment

Action: M/S/C (Lippman/Huchting) to adjourn at 8:29 PM.

Vote: Ayes – Bohn, Huchting, Lara Cruz, Lippman, Marisol, Sol. Noes –None; Abstain – None; Absent – Behm-Steinberg (excused), Gaona.

Attachments

- A. Draft Minutes of the 1/29/2025 Meeting
- B. Draft HWCAC Bylaws
- C. Draft revised work plan for the HWCAC
- D. Program and financial reports from TTLG
- E. City of Berkeley 2023 Single Audit Draft Council items

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Mary-Claire Katz
Health, Housing & Community Services Department
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mkatz@berkeleyca.gov

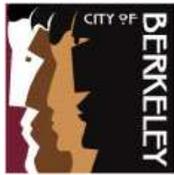
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City of Berkeley Housing & Community Services Department
 2180 Milvia Street
 Berkeley, CA 94704
 Contact: Community Agency RFP, CommunityAgencyRFP@berkeleyca.gov 510.981.5408

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Program: Recreational Services for Disabled
 Agency: Bay Area Outreach & Recreation Program (BORP)

**City of Berkeley
 Community Agency
 CLIENT CHARACTERISTICS REPORT**

Contract No: 3250002f

This Report Due: **Jan 31, 2025**

Agency: Bay Area Outreach & Recreation Program (BORP) Period of: **1st Half 2025**
 Program: Recreational Services for Disabled Prepared By: Julie Yates
 Phone: 510-225-7031 E-mail: jay@borp.org, emily@borp.org

1. CLIENT SUMMARY - 1st Half

	1st Half	FY 2025 (July 1, 2024 - June 30, 2025)
A. Total Clients Served by the Program (Berkeley and Non-Berkeley)	178	178
B. Total Berkeley Clients Served for Whom You Were Able to Gather Statistics on Age, Race/Ethnicity, and Income:	69	69
C. Total Berkeley Clients Served for Whom You Were NOT Able to Gather Statistics on Age, Race/Ethnicity, and Income:	0	0
D. Total Berkeley Clients Served:	69	69

2. DEMOGRAPHIC DATA

RACE - Unduplicated Count	Previous Periods		Report Period		Year-To-Date	
	Non-Hispanic	Hispanic Ethnicity	Non-Hispanic	Hispanic Ethnicity	Non-Hispanic	Hispanic Ethnicity
Single Race Categories						
American Indian/Alaskan Native	0	0	0		0	0
Asian	0	0	18		18	0
Black/African American	0	0	4		4	0
Native Hawaiian/Pacific Islander	0	0	0		0	0
White	0	0	43	4	43	4
Combined Race Categories						
American Indian/Alaskan Native & White	0	0			0	0
Asian & White	0	0			0	0
Black/African American & White	0	0			0	0
American Indian/Alaskan Native & Black/African American	0	0			0	0
Other Combined Race Categories	0	0			0	0
TOTALS	0	0	65	4	65	4
TOTAL SERVED						
	0		69		69	

3. INCOME LEVEL

Income Level - Unduplicated Count	Previous Periods	This Period	FY 2025 (July 1, 2024 - June 30, 2025)
Poverty	0	2	2
Poverty to 30% of AMI (Ex. Low)	0	9	9
31-50% of AMI (Low)	0	43	43
51-80% of AMI (Moderate)	0	4	4
Above 80% of AMI	0	11	11
TOTALS	0	69	69

[View AMI Table](#)

4. AGE

Age - Unduplicated Count	Previous Periods	This Period	FY 2025 (July 1, 2024 - June 30, 2025)
Under 5	0	6	6
5-12	0	0	0
13-17	0	3	3
18-24	0	2	2
25-34	0	6	6
35-44	0	11	11
45-54	0	5	5
55-64	0	14	14
65+	0	22	22

TOTALS	0	69	69
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5. OTHER CHARACTERISTICS

Other Characteristics - Unduplicated Count	Previous Periods	This Period	FY 2025 (July 1, 2024 - June 30, 2025)
Female	0	42	42
Male	0	26	26
Other	0	1	1
Disabled	0	69	69
Homeless	0		0
Chronically Homeless	0		0
Female Head of Household	0		0

6. SERVICE MEASURES

	Annual Goal	1st Half	2nd Half	Served Year-to-Date FY 2025	Projected vs Actual
Disability Services					
Service Measures	UOS: Projected	UOS: New Participants	UOS: Continuing Participants	UOS: Total	%
1 Client Sessions	1,224	80		0	0%

Service Measure Definitions:

Client Sessions	1224	80	Clients accessed previously inaccessible services	80
Client Sessions			Clients demonstrate improved functioning	50
Client Sessions			Participants achieved enhanced skills or knowledge	50

Client Sessions	BORP provides a multitude of sports and recreation activities for Berkeley clients with disabilities. Estimated annual participant sessions (UOS) to be delivered for each activity is shown below. Adaptive Cycling & Kayaking at Aquatic Park, open hours Th and Saturday 10am-4pm and Tuesday evenings from 4-7 28 participants x avg 22 sessions per year = 616 UOS Adventures & Outings nature trips and urban outings, 1-2 weekly 8hr group trips offered year-round. 9 participants x avg 12 sessions/year = 108 UOS Fitness classes & open gym at Ed Roberts Campus, 9 1-hr group classes per week held year-round. 8 participants x 20 avg sessions/year = 160 UOS Wheelchair Basketball at Berkeley Adult School, team practice held 2.5 hours once a week for 44 weeks per year. 3 participants x 16 avg sessions/year = 48 UOS Power Soccer at James Kenney Gym, team practice held 3 hours once a week for 44 weeks per year. 3 participants x 16 avg sessions/year = 48 UOS Quad Rugby at James Kenney Gym, team practice held 3 hours once a week for 44 weeks per year. 3 participants x 16 avg sessions/year = 48 UOS Goalball at Berkeley Adult School Gym, team practice held 3 hours once a week for 44 weeks per year. 3 participants x 16 avg sessions/year = 48 UOS Tournaments/Clinics, 4 various all-day sports tournaments/clinics offered per year. 10 participants x 4 avg sessions per year = 40 UOS Indoor Climbing at Berkeley Ironworks Gym, 2 hr group sessions held weekly year round. 4 participants x 12 avg sessions per year = 48 UOS Events/Exhibitions - 3 all day events, various locations. 20 participants x 3 events = 75 UOS
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1st Half Narrative

Our Berkeley Cycling Center continued to be open thrice weekly for open hours riding sessions. We introduced evening cycling sessions on Tuesdays (July–November), which were well-received and addressed participants' needs for consistent and evening exercise opportunities.

BORP's power soccer, pickleball, youth and adult wheelchair basketball, goalball, and wheelchair rugby programs continue to practice weekly at either James Kenney Community Center or the Berkeley Adult School. This fall, BORP also started women's and Division 3 wheelchair basketball programs to allow athletes the opportunity to compete at a national level. BORP hosted power soccer and goalball tournaments this fall, with two wheelchair basketball tournaments upcoming. We hosted our Second Annual Adaptive Sports Expo, which allowed over 200 participants to try 10 adaptive activities, free of charge and all in one day. We provided transportation to all three Expo locations with our two accessible buses.

You have -5 characters left.

7. OUTCOMES

Outcomes	Annual Goal	1st Half Achieved Outcome	2nd Half Achieved Outcome	Achieved Outcome FY 2025 (July 1, 2024 - June 30, 2025)	% Achieved Outcome of Annual Goal	% Achieved Outcome of Total Served
1 Clients accessed previously inaccessible services	80			0	0%	0%
1 Clients demonstrate improved functioning	50			0	0%	0%

1	Participants achieved enhanced skills or knowledge	50		0	0%	0%
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1st Half Narrative

We will be conducting our annual survey in May and will report on outcomes in our final report

You have 905 characters left.

Upload Attachments: (Up to 10 documents can be attached)

[Click here to go to the Upload Documents page](#) (Your report will be saved)

8. PROGRAM SATISFACTION SURVEY

Question		Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	Does Not Apply	I Do Not Understand This Question	Total Number of responses
1. I am satisfied with the services I have received from this program.	This Period								0
	Prior Periods								0
	Total	0	0	0	0	0	0	0	0
	% of Total								
2. This program's staff treated me with respect.	This Period								0
	Prior Periods								0
	Total	0	0	0	0	0	0	0	0
	% of Total								
3. This program helped me make progress towards my goals.	This Period								0
	Prior Periods								0
	Total	0	0	0	0	0	0	0	0
	% of Total								
4. This program met my needs.	This Period								0
	Prior Periods								0
	Total	0	0	0	0	0	0	0	0
	% of Total								
Additional Questions:									
5. Additional comments from consumers completing the survey									

Select any additional questions (10 Max)

- As a direct result of participating in the program I have what I need to maintain my independence.
- As a direct result of participating in the program my overall health and wellness has improved.
- As a direct result of participating in the program I have what I need to remain housed.
- As a direct result of participating in this program my housing situation has improved.
- As a direct result of participating in the program I have an increased understanding of community resources and supports.
- As a direct result of participating in the program I have enhanced skills and/or knowledge.
- As a direct result of participating in the program I have what I need to achieve my educational goals.
- As a direct result of participating in the program I have what I need to reach my employment goals.
- As a direct result of participating in the program I feel more connected to my community.
- As a direct result of participating in the program I feel less isolated.
- As a direct result of participating in the program my legal rights have been protected.
- As a direct result of participating in the program I am better able to take care of my own needs.
- As a direct result of participating in this program I feel more financially secure.
- As a direct result of participating in the program,
- I certify that the City of Berkeley has approved this question as written

Update Questions

Report Submitted by: Julie Yates Date: 02/04/2025

Accepted by: Mary-Claire Katz Date: 02/11/2025

Report modified by:

Modify Report

Reset

Initially submitted: Feb 4, 2025 - 11:34:53

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**CITY OF BERKELEY
COMMUNITY AGENCY STATEMENT OF EXPENSE
10/01/2024 TO 12/31/2024**

Note: Any variation from the Approved Budget exceeding ten percent (10%) requires a Budget Modification Form.

Agency Name: **Bay Area Outreach & Recreation Program (BORP)** Contract #: **32500026**
 Program Name: **Recreational Services for Disabled** PO #: **22000504**
 Funding Source : **General Fund**

Expenditure Category	Staff Name	Approved Budget	Jul-Sep 2024	Oct-Dec 2024	Jan-Mar 2025	Apr-Jun 2025	Total Expenditure	Budget Balance
Program Manager - Adventures & Outings	Lori Gray	\$3,600.00	\$900.00	\$900.00			\$1,800.00	\$1,800.00
Program Director - Adaptive Cycling	Leo Siecienski	\$9,300.00	\$2,325.00	\$2,325.00			\$4,650.00	\$4,650.00
Program Manager - Fitness	Cynthia Noonan	\$3,600.00	\$900.00	\$900.00			\$1,800.00	\$1,800.00
Program Assistant 1 - Adaptive Cycling	Terri Fredlund	\$3,600.00	\$900.00	\$600.00			\$1,500.00	\$2,100.00
Program Manager - Kayaking	Mia Feldbaum	\$3,600.00	\$890.40	\$578.76			\$1,469.16	\$2,130.84
Program Associate - Sports	Jorge Macias	\$4,500.00	\$1,170.00	\$1,170.00			\$2,340.00	\$2,160.00
Taxes/Benefits		\$5,600.00	\$1,101.57	\$1,030.55			\$2,132.12	\$3,467.88
Office Supplies		\$100.00	\$0.00	\$0.00			\$0.00	\$100.00
Program Expense		\$2,400.00	\$837.83	\$484.33			\$1,322.16	\$1,077.84
Rent		\$7,000.00	\$1,296.00	\$1,685.00			\$2,981.00	\$4,019.00
Communications		\$600.00	\$150.00	\$150.00			\$300.00	\$300.00
Insurance		\$1,200.00	\$1,200.00	\$0.00			\$1,200.00	\$0.00
Utilities		\$900.00	\$564.96	\$203.35			\$768.31	\$131.69
Indirect Costs		\$4,592.00	\$1,000.00	\$1,200.00			\$2,200.00	\$2,392.00
TOTAL		\$50,592.00	\$13,235.76	\$11,226.99			\$24,462.75	\$26,129.25

Advances Received **\$12,648.00**
 Underspent/(Overspent) **(-\$11,814.75)**

Total Current Year (FY 23) Allocation

Expenditure Category	Staff Name	Approved Budget	Jul-Sep 2024	Oct-Dec 2024	Jan-Mar 2025	Apr-Jun 2025	Total Expenditure	Budget Balance
Communications		\$600.00	\$150.00	\$150.00				\$600.00
Indirect Costs		\$4,592.00	\$1,000.00	\$1,200.00				\$4,592.00
Insurance		\$1,200.00	\$1,200.00	\$0.00				\$1,200.00
Office Supplies		\$100.00	\$0.00	\$0.00				\$100.00
Program Assistant 1 - Adaptive Cycling	Terri Fredlund	\$3,600.00	\$900.00	\$600.00				\$3,600.00
Program Associate - Sports	Jorge Macias	\$4,500.00	\$1,170.00	\$1,170.00				\$4,500.00
Program Director - Adaptive Cycling	Leo Siecienski	\$9,300.00	\$2,325.00	\$2,325.00				\$9,300.00
Program Expense		\$2,400.00	\$837.83	\$484.33				\$2,400.00
Program Manager - Adventures & Outings	Lori Gray	\$3,600.00	\$900.00	\$900.00				\$3,600.00
Program Manager - Fitness	Cynthia Noonan	\$3,600.00	\$900.00	\$900.00				\$3,600.00
Program Manager - Kayaking	Mia Feldbaum	\$3,600.00	\$890.40	\$578.76				\$3,600.00
Rent		\$7,000.00	\$1,296.00	\$1,685.00				\$7,000.00
Taxes/Benefits		\$5,600.00	\$1,101.57	\$1,030.55				\$5,600.00

Utilities		\$900.00	\$564.96	\$203.35				\$900.00
TOTAL		\$50,592.00	\$13,235.76	\$11,226.99	\$0.00	\$0.00	\$0.00	\$50,592.00

Total Carryover (FY 22) Allocation

Expenditure Category	Staff Name	Approved Budget	Jul-Sep 2024	Oct-Dec 2024	Jan-Mar 2025	Apr-Jun 2025	Total Expenditure	Budget Balance
								\$0.00
TOTAL		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

Explain any staffing changes and/or spending anomalies that do not require a budget modification at this time:

N/A

Upload of Resumes for New Staff (required):

- Expenditures reported in this statement are in accordance with our contract agreement and are taken from our books of account which are supported by source documentation.
- All federal and state taxes withheld from employees for this reporting period were remitted to the appropriate government agencies. Furthermore, the employer’s share or contributions for Social Security, Medicare, Unemployment and State Disability insurance, and any related government contribution required were remitted as well.

Prepared By: [Julie Yates](#)

Email: jay@borp.org

Date: 01/21/2025

Authorized By: [Julie Yates](#)

Email: jay@borp.org

Name of Authorized Signatory with Signature on File

Approved By: Mary-Claire Katz 02/11/2025 Project Manager Date	Examined By: _____ CSA Fiscal Unit Date	Approved By: _____ CSA Fiscal Unit Date
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Initially submitted: Jan 21, 2025 - 14:19:46

HWCAC Strategic Plan Draft

INFORMATION CALENDAR

October 18, 2024

To: Honorable Mayor and Members of the City Council
From: Human Welfare and Community Action Commission (HWCAC)
Submitted by: Mary Behm-Steinberg, Chair, Human Welfare and Community Action Commission
Subject: Audits and ADA Compliance

INTRODUCTION

The City of Berkeley has been struggling with compliance with the ADA, to the point that it isn't even a consideration in many larger projects. The ADA transition plan has been slow to non-existent, and yet, millions of dollars in funding require ADA compliance, resulting in unsafe situations for a large number of residents, especially but not exclusively the unhoused population, which is disproportionately made up of BIPOC and female-identifying people.

In 2019, EveryOne Home estimated that 42 percent of the 8,000 people who are homeless at any given time in Alameda County have a disability. The numbers were even higher in Berkeley, which is a mecca for the disabled due to its role in the birth of the disability-rights movement. Some 68 percent of the 2,000 people who annually experience homelessness in Berkeley are disabled, according to a city report. Analysis conducted for the report concluded that having a disability of any kind increased the likelihood that someone would remain homeless by 733 percent.¹

According to a 2019 report by the [National Disability Institute](#), Black Americans experience disability more often (14 percent, as compared to 11 percent of non-Hispanic white Americans) because of how structural racism concentrates them near environmental contamination, in dangerous jobs, and in poverty, and because poverty and racism cause chronic stress and make it more difficult to get proper and ongoing medical treatment. On the flip side, the National Disability Institute also shows that disabled people of color experience harsher consequences of their disability—37 percent of Black disabled people live below the poverty line, compared to 24 percent of white disabled people, for example.²

The HUD 2022 point in time count in Berkeley found that although black people only make up 8% of the total Berkeley population and 11 percent of the Alameda County population, they make up a whopping 45% of the unhoused population.³

¹ <https://eastbayexpress.com/the-new-face-of-homelessness-elderly-and-disabled-1/>

² <https://www.nationaldisabilityinstitute.org/wp-content/uploads/2019/02/disability-race-poverty-in-america.pdf>

³ <https://everyonehome.org/wp-content/uploads/2022/05/Berkeley-PIT-2022-Infographic-Report.pdf>

People over the age of 50 already make up around half of homeless in the United States, according to Dr. Margot Kushel, a professor of medicine and director of UCSF’s Center for Vulnerable Populations. And the percentage of homeless people over 50 is projected to keep rising until 2030, with the homeless population older than 65 expected to triple.⁴

Approximately [61 million](#) adults in the U.S. live with a disability. In 2021, 22 percent of people with a disability had “[extremely low](#)” incomes—the average median income for a household with a disabled member was \$42,736 (compared to \$75,000 for households without a disabled member). For low-income households, Supplemental Security Income (SSI) is often the main source of income, and in 2023, it’s a maximum of \$914/month. SSI has strict [income and asset limits](#), and SSI recipients who earn or save more than that limit have their benefits reduced or lose them, making securing housing extremely challenging. This practice further disadvantages an already marginalized population, “literally trapping people in a place where dignity is out of reach,” says Rebecca Vallas, senior fellow at The Century Foundation, a think tank focused on disability, gender, racial, and economic equity.

“In no state in the United States is the SSI benefit enough to afford a one-bedroom apartment at full-market rent, even if you spent 100 percent of your benefits on rent,” she says. “You’re not allowed outside income without it counting against your benefits, so we as a government just decided we’re going to have people live at this sub-poverty level.”

On top of that, the \$2,000 asset cap means that “a person is just unable to build what they need for a security deposit, let alone first and last month’s rent,” Vallas says. “So even if a place becomes available that’s affordable, that’s accessible, there’s nothing they can do, even with great case management or a great social worker, there’s nothing they can do to get into that housing because [if they build the assets they need to get in] they’ll lose their survival benefits that are literally what allows them to make it month to month.”

For people with mental disabilities, this can leave institutionalization as the only option.⁵

A dearth of affordable apartments large enough for families is a constant concern affecting many households—including [families that are trying to stay in appreciating neighborhoods](#)—and groups that are trying to [resettle refugee families](#). It’s even worse for those who need accessible homes, as disabled people are often assumed to be single and childless. While disabled people are more likely than non-disabled people to live alone, [45 percent of disabled people live with two or more other people](#). Accessible units are disproportionately studios and one-bedrooms, says Jewelles Smith, a Canadian researcher who focuses on disability and gender, and some

⁴ <https://eastbayexpress.com/the-new-face-of-homelessness-elderly-and-disabled-1/>

⁵ <https://shelterforce.org/2023/07/05/how-the-housing-shortage-is-forcing-people-with-disabilities-into-institutions/>

multi-floor “accessible” townhomes have only an accessible first floor, assuming that the disabled person is not, for example, the caregiver of children or elderly parents who would be using the other bedrooms.

With such a shortage of larger units, it is understandable that housing providers are reluctant to give larger apartments to people who they don’t believe “need” extra bedrooms. Housing providers or agencies that issue housing assistance may even force households to move as soon as their household size changes. These policies have a disproportionately heavy effect on disabled parents and workers, however. Parents who may temporarily not have their children living with them will have a difficult time getting them back if they lose access to a large enough accessible unit. For many immunocompromised people, working from home is an important way to protect themselves from exposure to diseases that could be devastating to their health, but a second bedroom for an office is often not considered a disability accommodation. Neither is having access to a second bedroom for a live-in caregiver.⁶

Add to this this that women, who statistically live longer and are paid less well earn less over their lifetimes, resulting in lower Social Security payments with more years to cover⁷ and suffer from gender disparities in healthcare outcomes⁸ and that the BIPOC community faces discrimination in both employment⁹ and health outcomes¹⁰ and the equity impact of the City of Berkeley’s failures to deal with disability issues become staggering, particularly on the streets.

CURRENT SITUATION AND ITS EFFECTS

Because the “home of the disability rights movement” hasn’t incorporated disability needs in its plans, the City of Berkeley has put many of its most vulnerable citizens at greater risk. As City leadership has repeatedly stated that it’s trying to make Berkeley a template for “smart cities” worldwide, concern over the hazards that are multiplying are growing.

A few recent examples include the following:

1. Complete bathroom and shower inaccessibility at the Pathways Stair Center, reported in early 2020 and still unresolved. While City leaders attempt to use the pandemic as an excuse, as people who could not use bathrooms in the City’s “crown jewel” homeless shelter left the shelter (and according to recent reports from residents, continue to leave), the resulting human waste on

⁶ <https://shelterforce.org/2023/06/20/accessible-housing-is-not-just-about-how-buildings-are-built/>

⁷ <https://blog.dol.gov/2024/03/12/what-you-need-to-know-about-the-gender-wage-gap>

⁸ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC10732547/>

⁹ <https://www.dol.gov/agencies/ofccp/about/data/earnings/race-and-ethnicity>

¹⁰ <https://www.kff.org/key-data-on-health-and-health-care-by-race-and-ethnicity/?entry=executive-summary-key-takeaways>

the street from lack of public restrooms threatened not only the disabled unhoused population, but created a wider public health crisis for everyone.¹¹¹²

2. Unsanitary conditions including aspergillus at the same levels as post-Katrina New Orleans in one of the new “streamlined” apartment buildings, where City officials declined to do basic due diligence, skipped CEQA, allowed themselves to be pressured into approving a building which was not safe, particularly for people with disabilities. (Please see attachment 1)

3. Both of these factors (there are more) resulted in Prado v. City of Berkeley, where the City was sued for destroying essential medication such as inhalers and impounding wheelchairs in an effort to force people into shelter, while no safe shelter was available, much less for people with disabilities.¹³

These are just a small sample of accessibility problems currently facing the City, and don’t address the inadequate emergency response times outlined here: [*Final Report and Recommendations from the Standards of Coverage and Community Risk Assessment Study, dated June 13, 2023, nor problems with evacuation expected in a forthcoming report.*](#)

BACKGROUND

Berkeley has long prided itself on being the home of the disability rights movement, yet more than 50 years after the founding of the Center for Independent Living (CIL) in 1967, **many disabled people feel that the community has lost much ground in a City that remains aloof to the legitimate concerns of a community whose rights are being ignored. This community is disproportionately low-income; people of color; and female identifying, as these communities are more likely to suffer discrimination in terms of job placement, which leads to poorer insurance options; more health issues that go unaddressed; and fewer resources with which to fight for their basic rights. Recent statistics on disability justice bear this out, as well as studies that demonstrate that people of color and female-identifying people are less likely to be taken seriously in healthcare environments. As such, this is an equity issue on multiple levels.**

It is only within the past two weeks that immune-compromised commissioners even got the same basic accommodation rights under the Brown Act as commissioners in San Francisco, and only after a year of fighting for it in court resulting in 58,000 in attorney fees paid to Disability Rights Associates. City attorney hours and fees have not yet been reported to me. This gives the appearance that the City isn’t interested in the input of the disabled

¹¹¹¹ <https://cityofberkeleyca.nextrequest.com/requests/23-76>

¹² Original complaints, which include issues NOT addressed by the City’s independent consultants regarding pharmaceutical and hypodermic needle safety: <https://www.berkeleydailyplanet.com/issue/2020-02-14/article/48187?headline=Letters-to-Berkeley-City-Officials-br-Re-Accessibility-problems-at-the-Pathways-STAIR-Center-br---Mary-Behm-Steinberg>

2.

¹³ <https://dralegal.org/case/prado-v-city-of-berkeley/>

community, as there was a ready solution that could have immediately been applied from San Francisco.¹⁴

RECOMMENDATION

As the City has not been transparent nor engaged in proper oversight, the HWCAC recommends that all future financial audits, particularly those involving federal and/or state funding which legally require ADAA compliance, include a section of ADAA compliance. This would involve three separate steps:

1. A check of all pending litigation against the City for any allegations of non-compliance.
2. Verification that court-ordered steps had been taken.
3. A questionnaire submitted to the Commissions on Disability and Aging, as well as the Human Welfare and Community Access Commission, asking about pending issues relating to funding or projects legally requiring ADAA compliance, and
4. A report not only to City Council and administration, but also to the Departments of Justice and Civil Rights (federal and state) regarding any irregularities.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There are no environmental sustainability or climate impacts associated with ensuring compliance with ADA principles.

POSSIBLE FUTURE ACTION

As further lapses in legally required accessibility are discovered and more effectively documented, a faster and more effective response to claims is anticipated.

FISCAL IMPACTS OF POSSIBLE FUTURE ACTION

Addressing faults in the City of Berkeley's ADA compliance as they are uncovered and officially documented will save the City hundreds of hours of staff time (including City Attorney time, which is particularly costly), as well as untold amounts in litigation settlements. Details to be added following meeting with city attorneys this week.

CONTACT PERSON

Mary-Claire Katz, Associate Management Analyst, HHCS, 981-5414

¹⁴ <https://www.sfcityattorney.org/wp-content/uploads/2023/01/Legal-Rules-Governing-Remote-Participation-by-Members-of-Policy-Bodies-in-Meetings-Beginning-March-1-2023.pdf>

<image001.png>

From: Chris Durham
Sent: Wednesday, April 29, 2020 8:49 AM
To: Aaron <ashiles@aafiresystemsinc.com>; Ladwig, Zoe <zladwig@cityofberkeley.info>
Cc: mitchwaller@sbcglobal.net; Design <design@aafiresystemsinc.com>;
 >
Subject: RE: Plan check comments for F2019-00184, 2580 BANCROFT Way, BERKELEY, CA 94704

Zoe

As Aaron has stated, we are on the schedule to hang pipe Monday. There is no more time to wait days for answers back on their approval. They need to know now so the project does not incur delay associated with multiple revision requests. I'm sure there are other projects that you are working on, but there is no more time left for 2580 Bancroft. We need you to communicate with AA Fire now to close out any of your remaining concerns. My Developer is in communication with the Mayor and other City Management. The Mayor has communicated specifically on 2580 Bancroft that this project needs to open in August of 2021. The ripple effect of delaying the fire sprinkler approval will keep this from happening.

Would you suggest a conference call to hammer out approval today, or some other means? Can you please respond with your schedule so AA Fire and yourself can run this to ground?

Chris Durham

Project Manager II

2580 Bancroft Way
 Berkeley, CA 94704
 612.360.0025 chris.durham@weitz.com

<image001.png>

Chris

From: Aaron <ashiles@aafiresystemsinc.com>
Sent: Wednesday, April 29, 2020 8:37 AM
To: Ladwig, Zoe <zladwig@cityofberkeley.info>
Cc: mitchwaller@sbcglobal.net; Design <design@aafiresystemsinc.com>;
 Baber, Mariafelisa <MBaber@cityofberkeley.info>; Chris Durham <Chris.Durham@weitz.com>; Del Toro, Jesus <jdeltoro@cityofberkeley.info>