



Commission on Disability
AGENDA
Regular Meeting

Commission on Disability **Wednesday**
1947 Center St. **1/08/2019**
Multipurpose Room **6:00 PM**
Berkeley, CA 94704

A. PRELIMINARY BUSINESS

- 1) Call to Order by Chair Ghenis
- 2) Roll Call by Secretary
- 3) Public Comment on Items Not on the Agenda. (Up to 3 minutes per speaker)
- 4) Approval of Draft Action Minutes of November 6, 2019.*
- 5) Staff Update.
- 6) Approval and Order of Agenda

B. DISCUSSION/ACTION ITEMS

The public may speak at the beginning of any item.
(Comments may be limited to 3 minutes per speaker)

Commission will take a 5 minute break around 8pm

1. Meeting logistics and related concerns.

Clarify that all concerns have been addressed; note if

there are any ongoing barriers, and what barriers are;
progress as needed. (5 minutes / Ghenis)

2. T1 Presentation. (20 minutes)

3. Wildfires and Power Outages (5 min)

4. Service Animals Welcome. *(Discussion.10 minutes)

5. Access Line Item in Council Templates.**

Discussion and update. (5 minutes/COD)

6. Elevator Ordinance. **Discussion and update. (20 minutes/COD)

7. New Construction and Renovations – Accessibility Guidelines and Regulations** (10 minutes/ Ghenis)

Develop comprehensive framework for accessibility in new construction and/or renovations. Discussion of Council item.

8. Announcements

C. INFORMATION ITEMS AND SUBCOMMITTEE REPORTS

D. COMMUNICATIONS

1. FUTURE AGENDA ITEMS (from adopted work plan, referrals, etc.)

TBD

E. ADJOURNMENT: no later than 9:30pm

Agenda Posted: TBD

- * Indicates written material included in packet.
- ** Indicates material to be delivered at meeting.
- *** Indicates material previously mailed.

A complete agenda packet is available for public review on the web at:

https://www.cityofberkeley.info/Clerk/Commissions/Commissions_Commission_on_Disability_Homepage.aspx

Available also at the main library, and Public Works, Engineering Division, 1947 Center Street, 4th Floor.

ADA Disclaimer



“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, or alternative formats, please contact the Disability Services specialist at 981-6400 (V) or 981-6347 (TDD) at least three business days before the meeting date. Please

refrain from wearing scented products to this meeting.

Communications Disclaimer

*Communications to Berkeley boards, commissions or committees are public record and will become part of the City's electronic records, which are accessible through the City's website. **Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to a City board, commission or committee, will become part of the public record.** If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the secretary of the relevant board, commission or committee. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the secretary to the relevant board, commission or committee for further information.*

Commission Secretary: Dominika Bednarska, Disability Services Specialist, 1947 Center St., 4th Floor, Berkeley, CA, 94704, Telephone (510) 981-6411, Fax: (510) 981-7060 TDD: (510) 981-6347.

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Commission on Disability
DRAFT MINUTES
Regular Meeting

Commission on Disability
1947 Center St.
Multipurpose Room
Berkeley, CA 94704

Wednesday
11/06/2019
6:30 PM

A. PRELIMINARY BUSINESS

- 1) Call to Order by Chair Ghenis @6:40.
- 2) Roll Call by Secretary. Present: Ghenis, Leeder, Smith, Walsh, Singer, Ramirez
- 3) Public Comment on Items Not on the Agenda. (Up to 3 minutes per speaker): None.
- 4) Approval of Draft Action Minutes of October 2, 2019. (Leeder/Walsh, all ayes)
- 5) Staff Update.
- 6) Approval and Order of Agenda (Move 2020 Schedule and Aligning Work Plan to 4&5 respectively, (Walsh, Leeder, all ayes)

B. DISCUSSION/ACTION ITEMS

The public may speak at the beginning of any item.
(Comments may be limited to 3 minutes per speaker)

Commission will take a 5 minute break around 8pm

1. Meeting logistics and related concerns.

Clarify that all concerns have been addressed; note if there are any ongoing barriers, and what barriers are; progress as needed. (5 minutes / Ghenis)

More lighting and parking

Monitor needs to be downstairs

2. Easy Does It Presentation. (20 minutes)

Discussion. No action taken.

3. Wildfires and Power Outages (5 min)

Discussion. No action taken. Sarah Lana will be invited to attend future meeting.

4. Service Animals Welcome. (Discussion. 10 minutes)

Discussion. No action taken.

5. Aligning Work Plan with Fiscal Year. Discussion. (5 min/COD).

Discussion. Motion to approve with addition of Vision Zero and PSPS. (Singer/Walsh, all ayes)

6. Meeting schedule for 2020. Discussion (5 min.)

Discussion. (Motion to approve 1st Wednesday meeting starting at 6pm, and a first meeting 1/8/20 due to holiday. (Singer/Walsh, all ayes)

7. Access Line Item in Council Templates. Discussion and update. (5 minutes/COD)

Discussion. No action taken.

8. Elevator Ordinance. Discussion and update. (20 minutes/COD)**

Discussion. No action taken.

10. New Construction and Renovations – Accessibility Guidelines and Regulations** (10 minutes/ Ghenis) Develop comprehensive framework for accessibility in new construction and/or renovations. Discussion of Council item. No action taken.

11. Photos for Navigable Cities Item. Discuss photos for Navigable Cities item. (5 minutes/COD)** Discussion. Motion to submit photos submitted by Leeder and Singer with Navigable Cities item. (Leeder/Singer, all eyes)

12. Announcements

C. INFORMATION ITEMS AND SUBCOMMITTEE

REPORTS

1. Peace and Justice Commission Subcommittee on the Convention on the Rights of Persons with Disabilities- Update on activity or projects of this subcommittee since last meeting. (5 minutes / Walsh & Leeder)

D. COMMUNICATIONS

1. FUTURE AGENDA ITEMS (from adopted work plan, referrals, etc.)

T1 Update

PSPS

Service Animals Welcome

Elevator ordinance Access line item in Council templates

E. ADJOURNMENT: 9:27 PM. (Leeder/Singer)

Agenda Posted: TBD

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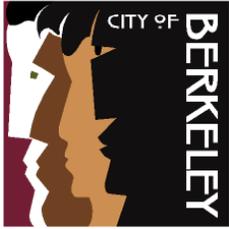
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Commission on Disability

ACTION CALENDAR

To: Honorable Mayor and Members of the City Council

From: Commission on Disability

Submitted by: Alex Ghenis, Chairperson, Commission on Disability

Subject: SERVICE ANIMALS WELCOME TRAINING

RECOMMENDATION

Direct City Manager to further implement education and training provisions of the Service Animals Welcome Policy and Program:

- a. Work with Business Improvement Districts and Commercial District Organizations to provide opportunities for businesses to learn about their responsibilities regarding service animals in their places of business.
- b. Provide information on Service Animals and Access Rights of Persons with Disabilities accompanied by a Service Animal as required staff training on non-discrimination under applicable federal, state and local statutes, regulations and policies.
- c. Provide necessary and adequate support to the Disability Compliance Program.

FISCAL IMPACTS OF RECOMMENDATION

Staff time

CURRENT SITUATION AND ITS EFFECTS

Service Animals Welcome Berkeley is a Strategic Plan Priority Project, advancing our goal to champion and demonstrate social and racial equity.

The 2019 Berkeley Business License Renewal Packet contained information on the Service Animals Welcome Policy and guidance from the U.S., Department of Justice Civil Rights Division on Service Animals in places of public accommodation.

Most Berkeley Business License holders received the 2019 packet but may not have seen or read the materials on Service Animals. As recently as October 2018, a case was documented of a Berkeley Business License holder who refused access and services to a person with a disability accompanied by a service animal (dog) trained to assist her relative to her specific disability and functional limitations. The License Holder stated that she was unaware of City policy or applicable law regarding Service Animals.

According to update information from staff as recently as September 2018, there has been no formal provision of training to City staff, especially for departments and positions with whom face-to-face contact with the public is required. This information is also important for staff in various City Departments who interact with businesses .e.g. Business Improvement District contract staff, the Berkeley Police Department, contracted health and community services providers. Such training can be most efficiently provided online to City staff.

BACKGROUND

On May 12, 2012, your Council adopted the Service Animals Welcome Policy and Program, Resolution Number 65,751-N.S. The City Manager was directed to take certain implementation steps including

- a. Incorporate educational materials in the Business License Tax process to inform business owners of their responsibilities regarding service animals;
- b. Include content about service animals and the responsibilities of Berkeley Businesses on the City's website; also include the phone number for the Disability Services Specialist;
- c. Provide signs for businesses to voluntarily put in their windows regarding service animals; and
- d. Work with Business Improvement Districts (BIDs) and Commercial District Organizations (CDOs) to provide opportunities for businesses to learn about their responsibilities regarding service animals in their places of business

ENVIRONMENTAL SUSTAINABILITY

Unknown

RATIONALE FOR RECOMMENDATION

As defined under the 2010 revision of the Americans with Disabilities ACT implemented in March 2012, denying a disabled person access to goods or services, in city and local governments or places of public accommodation based on being accompanied by a service animal is unlawful.

The Disability Compliance Program only has authority to enforce Title II of the Americans with Disabilities Act as it relates to programs and services. However it can provide information and training to encourage compliance.

Implementation of training will significantly contribute to decreased incidences of discrimination in Berkeley based on a person's disability. It will significantly contribute to increasing and

enhancing access for the persons with disabilities accompanied by a Service Animal who live, work and visit Berkeley.

ALTERNATIVE ACTIONS CONSIDERED

Do not provide Service Animals Welcome Training.

CITY MANAGER

The City Manager [TYPE ONE] concurs with / takes no position on the content and recommendations of the Commission's Report. [OR] Refer to the budget process.

CONTACT PERSON

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