



Commission on Disability DRAFT Meeting Agenda: March 11, 2026 at 5pm

**North Berkeley Senior Center, Aspen Room
1901 Hearst Avenue, Berkeley, CA 94709**

Preliminary Matters

1. Call to Order by Chair Fischer
2. Land Acknowledgment recognizing Berkeley as the ancestral, unceded home of the Ohlone People.
3. Roll Call by Secretary
4. Public Comments

The public may comment about any item *not* on the agenda. Public comments on agenda items will be heard while the Commission is discussing that item. Public comments are limited to three minutes per speaker.
5. Approval of draft minutes: February 11, 2026 meeting*
6. Approval: Order of Agenda*

Presentation

7. Potential Infrastructure Bond Measure in Nov. 2026* 75 minutes

City staff will present on Berkeley's infrastructure needs and priorities, reviewing past investments and current conditions. Staff will solicit community feedback on a draft project list for a potential \$300 million general obligation bond.

Discussion/Action Items

8. Updates from CoD subcommittees 20 minutes
 - a. Web Content Accessibility Guidelines (WCAG)
 - b. Public Right-of-Way Accessibility Guidelines (PROWAG)
 - c. Accessibility at City Meetings and Events
9. Work Plan Updates and Developments

Commissioner Reports/Announcements

Staff Updates

10 minutes

10. Log of Access Complaints*
11. Email and voicemail sent to the Commission*

Adjournment

- * Documents included in packet.
- ** Documents to be delivered at meeting.
- *** Documents previously distributed.

PUBLIC ACCESS TO AGENDA

Agenda posted: 1) on the bulletin board at Old City Hall (2134 MLK Jr. Way); 2) North Berkeley Senior Center (1901 Hearst Avenue); 3) On the Commission on Disability webpage of the [City of Berkeley website](#). Click the chevron (i.e., the blue V-shaped symbol) to the right of the monthly meeting date for a link to the agenda.

A link to the complete monthly agenda packet is available for public review by clicking the chevron (i.e., the blue V-shaped symbol) to the right of the monthly meeting date on the [Commission on Disability webpage](#). Physical agenda packets are reviewable during business hours at the Berkeley Central Library (2090 Kittredge St.) and at 1947 Center Street, 4th Floor.



ADA ACCOMMODATIONS

This meeting is being held in a wheelchair accessible location. To request a disability-related accommodation(s) to participate in the meeting, including remote participation, auxiliary aids or services, please contact the **ADA Program Coordinator at (510) 981-6418, (510) 981-6347 (TDD)** or ada@berkeleyca.gov at least 72 hours before the meeting begins. Please refrain from wearing scented products to this meeting.

PUBLIC RECORD INFORMATION

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Any writings or documents provided to a majority of the Commission regarding any item on this agenda will be made available for public inspection at 1947 Center Street, 4th Floor, during regular business hours. The Commission Agenda and Minutes may be viewed on the [City of Berkeley website](#).

Secretary:

Thomas Gregory
Public Works Department
(510) 981-6418
E-mail: tgregory@berkeleyca.gov

Mailing Address:

Commission on Disability
c/o Thomas Gregory
1947 Center Street
Berkeley, CA 94704



Commission on Disability

DRAFT minutes re February 11, 2026 meeting

**North Berkeley Senior Center, Aspen Room
1901 Hearst Avenue, Berkeley, CA 94709**

Preliminary Matters

1. Call to Order by Chair Pugh at 5:00pm
2. Land Acknowledgment recognizing Berkeley as the ancestral, unceded home of the Ohlone People
3. Roll Call by Secretary
Commissioners present: Helen Walsh, Rena Fischer, Kathi Pugh, Mina Sun, Bonnie Lewkowicz, Jae Mann, and Valerie Coleman.
Commissioner on a Leave Of Absence: Richard Paz.
Commissioner absent (excused absence): Fred Nisen
Staff present: Thomas Gregory, Terrence Salonga (presenter), and Cydney Chilimidos (Mayor's staff).
Public members present: none.
4. Public Comments None.
5. Approval of draft minutes: January 21, 2026 meeting
 "...to accept the January minutes as drafted."
Moved by: Fischer; seconded by: Lewkowicz.
Abstention: Sun,
Ayes: Walsh, Fischer, Pugh, Lewkowicz, Mann, and Coleman. The motion passes.
6. Approval: Order of Agenda
 "...to approve the agenda as drafted."
Moved by: Lewkowicz; seconded by: Pugh.
Ayes: unanimous The motion passes.

Presentation

7. Five-Year Street Rehabilitation Plan: An Informational Briefing by Terrence Salonga, Assoc. Engineer, CoB Public Works

The City has 213 miles of streets with a mid-50s Pavement Condition Index (PCI of Fair), aiming for a goal of 70/Satisfactory. Funding for this project is \$17 million annually, expected to increase to \$18.4 million by 2027 (excluding FF funds). The plan includes upgrading curb ramps and crosswalks. The City aims to maintain a balance between technical and policy-based approaches, prioritizing Equity Zones and City priorities like Vision Zero, and the Bike Plan. The plan includes evaluating curb ramps for ADA compliance and replacement where needed, and upgrading crosswalks to high visibility markings. The project does not include sidewalk repairs outside of curb ramps.

Discussion/Action Items

8 Nomination and election of CoD officers: Chair and Vice-chair

"...to nominate and elect Rena Fischer as Chair and to nominate and elect Kathi Pugh as

Vice Chair.”

Moved by: Lewkowicz; seconded by: Coleman.

Ayes (via a roll call vote): unanimous. The motion passes.

9. Accessibility at City Meetings, City-Sponsored & Permitted Events

The Commission seeks support from the Mayor’s office implementing needed changes on these issues and Cydney Chilimidos from the Mayor’s staff attended.

The CoD seeks City use of uniform accessibility statements at City meetings and events, with a longer statement used by Council, commissions and board meetings, and a shorter version used at all other meetings and events. In addition, the CoD seeks City implementation of policies and practices that help to ensure City-sponsored events (those organized by City staff) and City-permitted events (organized by third-parties in City parks, buildings, streets, etc.) comply with accessibility mandates, including those in the ADA Amendments Act of 2008. To the greatest extent feasible, CoD seeks meetings and events that enhance accessibility by default (without a request for an accommodation), e.g., by including closed captioning. Members suggested development of an online ADA Accessibility Toolkit, similar to one used in SF, as a resource to facilitate the project.

10. Input to Vision Zero Advisory Committee (2026 Update)

Commissioners and public are encouraged to offer any input they have regarding the City’s Vision Zero Plan update.

11. Updates from Commission subcommittees meeting with City staff:

a) Web Content Accessibility Guidelines (WCAG)

Sun reported that a Cal student tech team developing an app that makes PDFs WCAG compliant was one of two winners at the Cal Civic Innovation Challenge, receiving money for additional app development. The team is now entered in the Big Ideas competition. If successfully developed, the app may be used to help the City meet WCAG-compliance on its website.

b) Public-Right-of-Way Accessibility Guidelines (PROWAG)

The committee is waiting to learn how the City intends to reference PROWAG compliance in relevant City bid documents.

Staff Updates

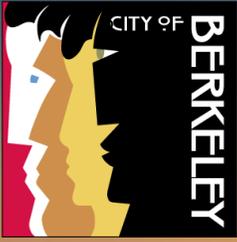
13. Log of Access Complaints

14. Email and voicemail sent to the Commission – not applicable this month.

Adjournment at 7:13pm.

Minutes approved by CoD vote on: _____

Thomas Gregory, Secretary to Commission



CITY OF BERKELEY

2026 Potential Bond Measure

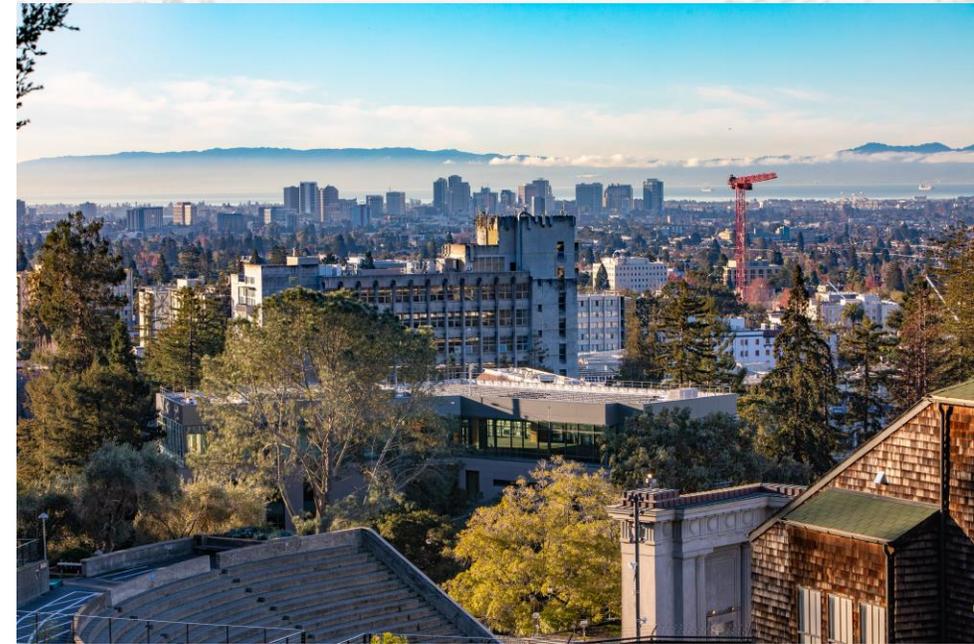


Berkeley's Infrastructure: Needs and Community Priorities

The goal is to **receive feedback on the City's proposed infrastructure project list** for a potential \$300M GO Bond.

- **Berkeley's Infrastructure Needs**
- **Past Investments & Current Conditions**
- **Draft Project Portfolio**
- **Community Input & Discussion**

Agenda



Above Image: Berkeley & East Bay Cityscape.

⁷
When infrastructure fails, the impacts don't stay in one place.

Berkeley relies on interconnected systems:

- Streets and sidewalks connect daily life
- Community spaces support health and belonging
- Public safety facilities protect lives
- Waterfront and climate infrastructure protects neighborhoods

A citywide approach helps prevent closures, service loss, and higher costs.

Infrastructure Need



⁸What We Maintain:

- 215 miles of streets;
- 53 miles of bicycle infrastructure;
- 50 acres of Marina harbor;
- 54 parks;
- 95 buildings;
- 63 play areas;
- 38 public restrooms;
- 4 community centers;
- 3 resident camps; and
- 2 pools

*Much of this infrastructure is **75+** years old.*

Current estimates:

- **\$1.65–\$2B** in unfunded infrastructure and deferred maintenance citywide.

Infrastructure Portfolio



Above Image: City of Berkeley Capital Projects Team

How Does the City Fund Infrastructure?

Permanent / Ongoing

General Fund

- ~\$2.4M per year
- ~\$9.9M for Streets

One-Time / Volatile

One-Time Revenues

- Property Transfer Tax (>\$16M)
- Interest Income ($\frac{1}{3}$ above \$6M)

Restricted by Use

Restricted Revenues

- Streets
- Sewer
- Stormwater
- Streetlights
- Marina

Voter-Approved

Local Measures

- Parcel Taxes (Parks, Measure FF – 2020 & 2024)
- Bonds (Measures M & TI)

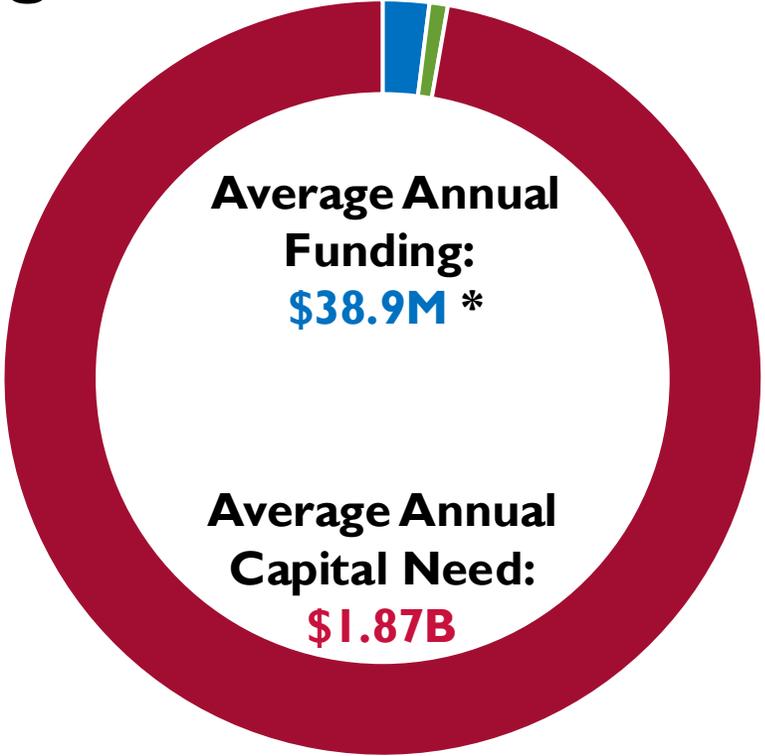
External

Grants

- Federal
- State
- Private

Annual funding is **not enough** to address infrastructure and deferred maintenance. Reliance on **one-time, restricted, and voter-approved sources** makes long-term planning difficult.

Current funding covers just ~2% of need, leaving a 98% structural shortfall.



Infrastructure Funding Gaps



* 38.9M total does not include estimated Measure FF Funds. Available Funding is calculated from General Fund, One-Time, Restricted Revenues.

	FY 2027	FY 2028	FY 2029
Available Funding	\$40,998,776.00	\$37,727,476.00	\$36,664,976.00
Anticipated FF Funds	\$15,000,000.00	\$15,000,000.00	\$15,000,000.00
Capital & Maint. Need	\$1,831,954,652.58	\$1,868,593,745.63	\$1,905,965,620.54

Above Image: City of Berkeley Repair Project

When Infrastructure Investment Is Delayed



Asset Impacts



Infrastructure wears down faster



Safety and access risks increase



Service disruptions are more common



Cost Impacts



Construction costs continue to rise



Funding supports fewer projects



Delays lead to higher long-term costs

Delaying investment leads to *greater risks* and *higher long-term costs*

Past Investments (Measure T I Highlights)



Berkeley Rose Garden



Willard Clubhouse



Telegraph Public Restroom



Sidewalk Improvements



North Berkeley Senior Center



Marina Roadway



Adult Mental Health Center



*Park Improvements
e.g. San Pablo Park*

Potential *Future* Project Investments



Crosswalk Improvements to Major Intersections



Repair and Improvements to Veterans Building



Repair and Improvements to Marina Docks Timber



Improvements to Playgrounds e.g. Glendale La Loma Park



More ADA Parking Spaces e.g. Strawberry Creek Park



Repair and Improvements to Maudelle Shirek (Old City Hall)



Repair and Improvements to Berkeley Waterfront Bay Trail



Repair and Improvements to Public Safety Facilities

Capital investments support *people*, *programs*, and *services* — not just buildings.

Expanded & Reliable Services

- New and improved programs
- Spaces that support reliable services

Improved Safety

- Seismic and facility improvements
- Safer buildings and emergency readiness

Improved Access & Capacity

- ADA upgrades and modernized spaces
- Facilities serve more people

Environmental Sustainability & Resilience

- Green and stormwater improvements
- Energy-efficient systems and lower long-term costs

Infrastructure ROI



Above Images: Maudelle Shirek Building current state (top) & Interior Rendering with repair and expansion (bottom)

Methodology

- Criteria-based evaluation prioritizing:
 - **Public health & safety**
 - **Infrastructure resilience**
 - **Community use & equity**
 - **Geographic balance**
 - **Deliverability & readiness**
 - **External funding opportunities**
- Project portfolio aligns with the broader principles reflected in Vision 2050.
- Applied within a **\$100M per-category cap** (\$300M total).

Project Portfolio



Above Images: Veterans Building Current State (top) & Interior Rendering with repair and programming possibilities (bottom)

Community Facilities & Quality of Life

Parks, playgrounds, restrooms, aquatics, dog parks, cultural centers and waterfront improvements.

Public Safety

Fire station modernization and critical upgrades to essential emergency-response facilities.

Critical Infrastructure & Accessibility

Core systems and facilities that require seismic upgrades or repairs – Civic Center (i.e., Maudelle Shirek Building) improvements, ADA, 50/50 program sidewalk projects.

Project Themes



Lead Projects

➤ Modernization of high-use community hubs

- Frances Albrier Community Center
- King Pool & Locker Room
- Harrison Field
- Live Oak Courts & Lighting
- San Pablo Sports Field
- Citywide Dog Parks – 4-6 Sites
- Park Upgrades:
*Codornices Park • Glendale La Loma Park • Harrison Park •
 Cedar Rose Park • Cesar Chavez Park*

Community Facilities



Above Images: Glendale La Loma Park older play equipment and sand surfacing (bottom) alongside San Pablo Park with recent playground and safety improvements (top).

Lead Projects

- **Neighborhood parks, open space, waterfront access, and climate resilience**
 - Adeline Corridor Open Space
 - Aquatic Park – *Dreamland Area Improvements*
 - Cesar Chavez Park – *Pathway*
 - Marina Docks – *Timber Pile Replacement*
 - Sea Level Rise – *Bay Trail/Marina Blvd*
 - Sea Level Rise – *University Ave Bike Park*
 - South Cove Seawall Replacement
 - University Ave / Seawall Dr / Bay Trail / Plaza

Quality of Life



Above Images: Bay Trail showing pavement damage (bottom left) alongside sections that have received recent improvements (top right).

Lead Projects

- **911 Dispatch Center:** 2100 MLK Jr. Way
 - *Expansion and modernization*

- **Fire Station 4:** 1900 Marin Ave
 - *Full replacement, expansion*

- **Fire Station 6:** 999 Cedar Street
 - *Remodel, potential move to new Fire HQ*

- **Fire Training Center:** 997 Cedar Street
 - *Relocate and modernize training center*

Public Safety



Above Images: Water damage from roof leaks at PSB (top left) and failing HVAC at Fire Station 5 (bottom right).

Lead Projects

- **Seismic upgrades of three buildings to advance the vision of Civic Center Project**
 - Maudelle Shirek Building (2134 MLK Jr.)
 - Veterans Memorial Building (1931 Center)
 - MLK Jr. Civic Center Annex (1947 Center)

- **Modernization of high use civic facilities**
 - MLK Jr. Civic Center Building (2180 Milvia)
 - Public Safety Center (2100 MLK Jr.)
 - Berkeley Animal Shelter (1 Bolivar Dr.)

Critical Infrastructure



Above Images: Exterior facades of deferred maintenance at Maudelle Shirek (Old City Hall) Building.

Lead Projects

- Citywide ADA accessibility improvements

- Remove sidewalk trip hazards
- Fix crosswalk mobility barriers
- Upgrade non-compliant curb ramps

Fund 50/50 Program Sidewalk Projects

- Repair lifted and damaged sidewalks
- Prevent future hazards

Accessibility



Above Images: Examples of changes in level (elevations) on sidewalks that require improvements

We're asking for input on:



Input & Discussion

Your feedback helps inform priorities and next steps.

March2026 - Log of Unresolved Access-related Complaints

Subject matter key:

1 = built environment (facilities and their adjacent paths of travel)

2 = built environment (pedestrian rights of way)

3 = digital content

4 = effective communications/signage

5 = programs, services, and activities

An asterisk next to the complaint's submission date indicates that the complaint was a formal ADA Grievance.

2/23/26

2. West side of 9th Street between Carleton and Pardee not PROWAG-compliant due to construction work encroaching on right-of-way and the lack of an appropriate diversion or detour. The City does not yet deem that a solution has been implemented. Staff will have the contractor remediate the violation and the remediation, once implemented, will comply with law and City policy. The complainant's level of satisfaction with yet-to-be-implemented remediation is unknown.

11/12/25

2. Lack of access pertains to impermissible changes in elevation existing within the east-west crosswalks at Shattuck and Durant. The City does not yet deem that a solution as been implemented. Staff will have the violation remediated, but no ETA is available at this time. The solution, once implemented, will comply with law and City policy. The complainant's level of satisfaction with yet-to-be-implemented remediation is unknown.

10/9/25*

5. Lack of access pertains to Rent Board staff reportedly impermissibly refusing to satisfy a request to postpone a hearing as an ADA accommodation. On 11/20/25 the City deemed that this complaint was resolved. Staff investigated this grievance and found that no ADA violations occurred. The resolution complied with law and City policy. The complainant was unsatisfied with the outcome, but did not choose to appeal the outcome.

9/18/25

2. Lack of access pertains to the west side of Oxford, between Addison and University, not being PROWAG compliant due to construction. The City does not yet deem that a solution has been implemented. Staff will have the violation remediated by the relevant contractor, but no ETA re the remediation and verification thereof is available at this

time. The solution, once implemented and verified, will comply with law and City policy. The complainant's level of satisfaction with yet-to-be-implemented-and-verified remediation is unknown but likely low.

9/4/25

2. Lack of access pertains to (a) the sidewalk closure on south side of Bancroft, west of Ellsworth, not being PROWAG-compliant and (b) the installation of a temporary bike lane at that site not being accessible to wheelchair users. The City does not yet deem that a solution has been implemented and verified. On 9/4/25 staff instructed the relevant contractor to render the sidewalk blockage compliant with PROWAG. On that date, PW staff also considered building a temporary ramp so that wheelchair users could access the temporary bike lane; however, that approach was subsequently abandoned due to staff's safety-related concerns. The solution, once implemented and verified, will comply with law and City policy. The complainant's level of satisfaction with the yet-to-be-implemented solution is unknown but likely low.

9/3/25

2. Lack of access pertains to existence of approximately 1" high unbeveled elevation(s) within crosswalk near east side of University at Grant. The City does not yet deem that a solution has been implemented. Staff have instructed EBMUD, the entity that created the elevation(s), to shave the elevation(s) to render them PROWAG-compliant (i.e., to 1/4" high or less if unbeveled, or to 1/2" high or less if beveled), but the implementation of this remediation has not yet been verified. The solution, once implemented, will comply with law and City policy. The complainant's level of satisfaction with this yet-to-be-implemented-and-verified solution is unknown but likely low.

8/20/25

1. Lack of access pertains to lack of accessible parking at Strawberry Creek Park. The City does not yet deem that a solution has been implemented. A PROWAG-compliant blue spot will be installed on Addison at the northern border of the park, though no ETA is currently available. Once implemented, the solution will comply with law and City policy. The complainant has expressed satisfaction with the planned solution but has expressed dissatisfaction with the lack of an ETA.

6/18/25

2. Lack of access pertains to a blue parking spot at Milvia/Derby not being PROWAG-compliant. The City does not yet deem that a solution has been implemented. Staff are considering remedial options (namely, either to eliminate this blue spot or else to render it PROWAG-compliant) but have not yet settled on an approach or an ETA. Once

implemented, the solution will comply with law and City policy. The complainant's level of satisfaction with progress thus far is likely low.

6/3/25

2. Lack of access pertains to the public right-of-way on west side of Shattuck between Ward and Derby reportedly not being PROWAG-compliant in its design. The City deemed that this issue was resolved on 6/5/25 when staff determined that the site in question was in fact PROWAG-compliant and that the site's design violated neither law nor City policy. The complainant was unsatisfied with this outcome. Although the City deems this complaint to have been resolved, it remains on this log of unresolved complaints at the request of one of CoD's officers.

3/24/25

2. Lack of access pertains to the alternate pedestrian access route on north side of Kittredge between Shattuck and Harold not being compliant with PROWAG. The City does not yet deem that a solution has been implemented. By or before 5/12/25 the City remediated all PROWAG violations at the site except for the absence of proximity-actuated audible signals, but a complete remediation has yet to be implemented. Once fully remediated, the solution will comply with law and City policy. Despite the partial nature of the currently implemented remediation, the complainant has expressed high satisfaction with the outcome.

1/17/25

2. Lack of access pertains to two curb ramps at Euclid and Crystal Way lacking the required detectable warning surfaces. The City does not yet deem that a solution has been implemented. Staff will install detectable warning surfaces at this site, but no ETA is currently available. Once implemented, the solution will comply with law and City policy. The complainant is likely unsatisfied that the remediation has yet to be accomplished but, since they have subsequently moved to a different state, they might not have any level of satisfaction or dissatisfaction.

8/22/24

2. Lack of access due to construction site on west side of Shattuck between Francisco and Delaware negatively impacting adjacent public right-of-way in multiple manners inconsistent with PROWAG. The City does not yet deem that a solution has been both implemented and verified. Staff have informed the relevant contractor what is needed to render the site compliant and are working with the contractor to implement a PROWAG-compliant design of the site's alternate pedestrian pathway. Multiple

constituents complained of this same site; one of the complainants reported that in January 2026 they observed the site in a PROWAG-compliant state, but City staff have yet to verify such compliance. Once fully implemented, the solution will comply with law and City policy. The complainants' level of satisfaction is unknown but likely low.

6/30/24

2. Lack of access due to overgrown hedge on 1600 block of Acton obstructing sidewalk. The City does not yet deem that a solution has been implemented and verified. PW staff have referred the matter to Code Enforcement staff, who in turn have informed the property owner that they must trim their hedge, but staff have yet to confirm that compliance has been achieved. Once implemented, the solution will comply with law and City policy. The complainant's level of satisfaction is unknown.

6/20/24

3. Lack of access due to City website not complying with WCAG. The City does not yet deem that a solution has been implemented. The City is collaborating with CoD's ad hoc committee and others to develop a roadmap by which the City will achieve compliance with WCAG 2.1-AA by the federal gov't's April 2026 deadline for achieving such compliance. Once implemented, the yet-to-be-implemented solution will comply with law and City policy. The complainant's level of satisfaction re the City's progress is unknown but likely low.

1/28/24

2. Lack of access due to sidewalk near NW corner of MLK and Derby not being PROWAG-compliant due to pronounced change in elevation. The City does not yet deem that a solution has been implemented. Once the yet-to-be-implemented solution is implemented it will comply with law and City policy, but there is currently no ETA for remediation. The complainant is not satisfied with the City's current lack of progress.

12/1/23

1. Lack of access due to Pathways STAIR Center not being ADA-compliant. At the time of this complaint, the City's records indicated that 93 violations of the 2010 Standards for Accessible Design existed at the center. The City does not yet deem that a full solution has been both implemented and verified. In Dec 2025, the City's contractor completed a re-design and thorough re-modeling of the site, a project intended to remediate all ADA violations. Staff and the contractor are still working to

determine which, if any, of the 93 violations remain un-remediated. The complainant's level of satisfaction is unknown but likely low.

8/28/23

1. Lack of access pertaining to Stegmann Trail at Cesar Chavez Park being too bumpy for use by wheelchair users. The City does not deem that a solution has been implemented. At the time this complaint was lodged, the City had plans, including funding, for a project that would render the trail ADA-compliant and that was tentatively scheduled to commence in Sep2024. However, in July2025 plans for this project, called the Cesar Chavez Park Perimeter Pathway Project, were paused indefinitely due to issues of underground (and perhaps surface level) contamination at Cesar Chavez Park. There is no ETA on when the this project might resume, but PRW staff expect that it will be at least July2027 and likely later before the project resumes. The complainant's level of satisfaction with the lack of progress is likely very low.

6/8/23

3. Lack of access pertaining to (well-founded and accurate) concern that many documents posted to the website in addition to Commissioners' Manual (which was non-compliant at the time this complaint was lodged but which has since been remediated) could be out of compliance with WCAG. The City does not yet deem that a solution has been implemented. CMO has established an all-dept Digital Accessibility Task Force, members of which collaborate approximately monthly with CoD's ad hoc committee regarding WCAG compliance. The Task Force's goal is to achieve WCAG compliance by April2026. The complainant, while not yet satisfied, is cautiously optimistic about progress made to date.

Access-related complaints NOT involving purported non-compliance with ADA/Title III or with PROWAG:

Issue: the intensity of the flashing lights on City vehicles affects me negatively neurologically and needs to be reduced so that I can safely access the City's public rights-of-way.

Approximate number of such complaints lodged since 9/10/25: 4.

Issue: the shared micro-mobility rental scooters frequently impeding sidewalk access are not removed quickly enough.

Approximate number of such complaints lodged since 9/10/25: 25.

Issue: the amount of time provided to cross a crosswalk should be increased by 50%, especially at LeRoy/Hearst.

Approximate number of such complaints lodged since 9/10/25: 1.

Issue: every intersection with pedestrian signals should also have Accessible Pedestrian Signals.

Approximate number of such complaints lodged since 9/10/25: 2.

Issue: the wifi device that the City has approved for installation near North Branch Library will, due to my electro-sensitivity, render that library branch, as well as the nearby gas station that I typically use, inaccessible to me.

Approximate number of such complaints lodged since 9/10/25: 1.

Issue: the City should offer a program that helps constituents vindicate their ADA/Title III rights vis a vis public accommodations, at least those that are located within Berkeley.

Approximate number of such complaints lodged since 9/10/25: 1.

Issue: the medical office building at 2300 Dana is not compliant with the 2010 Standards for Accessible Design, and so the City should make that building compliant.

Approximate number of such complaints lodged since 9/10/25: 1.

Messages to CoD received since Feb2026 CoD meeting

To: Community Health Commission, and Commission on Disabilities

February 17, 2026

I hesitate to even write given the circumstances:

A unanimous public voice at the Public Safety Committee opposed the loosening of controls and use of helicopters, canine patrols, and the promotion of CS gas and oleoresin capsicum in Councilmember Rashi Kesarwani's proposal against the backdrop of lethal security force abuses - **and voted unanimously to support the proposal**. It was as if all of the serious efforts Berkeley made in the past to include and educate both the community and the council with thoughtful discussion otherwise and often precluded by a crowded city council agenda were just for show.

This effort appears to be happening mechanically as if our city still had what we *no longer have, any inch left of police review*. The Police Accountability Board lost its two longest-standing members and the Council fired its leadership in an apparent and unresolved conflict over non-responsive information requests.

The council needs to postpone this proposal, or set it entirely aside; the watching world is reeling from the senseless deaths of both protesters and detainees by security forces.

My understanding is that the proposal has yet to go before the Community Health Commission or the Commission on Disabilities, nor has there been a town hall meeting where citizens could find out the evidence on permanent health effects related to the components used in CS gas and oleoresin capsicum as well as the growing tendency to use multiple rounds of canisters where there are no studies, since multiple rounds are not a recommended, but are a more and more common use.

Any town hall should include video of the Black Lives Matter demonstration on Dec. 6, 2014. These weapons are indiscriminate and potentially deadly. Misuse, according to Amnesty International, is growing worldwide.

Thank you,

Carol Denney
1970 San Pablo Avenue #4

Berkeley, CA 94702

Berkeleyside Op-Ed by [Carol Denney](#) Feb. 1, 2016,

The Berkeley Police and the Police Review Commission's (PRC) recent report on the police response to the Dec. 6, 2014 Black Lives Matter protests reflected a remarkable amount of agreement, and came up with commendable recommendations. But it had omissions which should not go unremarked, among which is the refusal to prohibit the use of CS gas on protesters.

CS gas is a chemical agent banned in warfare per the Chemical Weapons Convention of 1993. Most nations, including the United States, have signed this agreement. CS gas, which is not technically a gas but rather an aerosol of a volatile solvent, causes an immediate involuntary burning sensation, vomiting, temporary blindness, severe pulmonary damage, miscarriages, and can significantly damage the heart and liver.

Three members of the Police Review Commission, Commissioners Bartlett, Lippman, and Sherman, issued a minority report dissenting on the use of CS gas, or "tear gas" as it is sometimes inaccurately described, recommending a prohibition on its use in crowd control and crowd management. There are good reasons for this since CS gas itself is indiscriminate. The severity of exposure is not a controlled or controllable matter, but depends entirely on:

1. the setting — CS gas is less likely to disperse indoors or in settings densely packed with people or buildings
2. availability of protective clothing or equipment — CS gas can take hours to dissipate but can soak clothing which often cannot be washed, such that first responders and bystanders are at severe risk of exposure.
3. the weather —The weather can disperse chemical agents in unexpected ways putting protesters, bystanders, and police at risk.
4. the availability of medical intervention — No arrangement for medical assistance were made for the injured in December of 2014 despite serious injury, and current policy precludes dispatching medical responders until a scene is secure.
5. other uncontrollable factors — People in December of 2014 found themselves trapped between police skirmish lines, unable to get away or comply with dispersal orders.

CS gas, even when used correctly in optimum circumstances, creates panic, injury, and undermines rather than protects public safety. Its use profoundly chills the First Amendment expression the city is legally obligated to protect.

Carol Denney is a singer, writer, and veteran activist of social justice movements.