

Commission
on
Disability

Commission on Disability

DRAFT Meeting Agenda: October 14, 2026, at 5pm

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

To join the meeting remotely, click on Join via Zoom
or call 1(669) 444-9171 (Meeting ID: 895 8209 6797; Passcode: 295882).

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: September 9, 2026 meeting*
6. Approval: Order of Agenda*

Discussion/Action Items

7. Existing ad hoc committees on Micromobility, PROWAG, WCAG: review, extend (if needed) and add target dates for reporting back to the CoD
8. Ad hoc committee reports: Micromobility, PROWAG, WCAG
9. Report to Council: Using the Report & Pay webpage (AKA 311 Online) to report eScooter/micromobility devices*
10. Disaster Preparedness: CoD input and the public comment process**
11. Work Plan Updates and Developments**

Commissioner Reports/Announcements

Staff Updates

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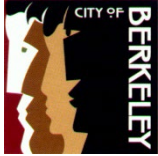
Any writings or documents provided to a majority of the Commission regarding any item on this agenda will be made available for public inspection at 1947 Center Street, 4th Floor, during regular business hours. The Commission Agenda and Minutes may be viewed on the [City of Berkeley website](#).

Secretary:

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Berkeley, CA 94704



Commission
on
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Commission on Disability DRAFT Minutes re September 9, 2026 meeting

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

Preliminary Matters

1. Call to Order by Chair Fischer at 5:03pm
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, Fred Nisen, and Valerie Coleman
 Commissioner absent: Richard Paz
 Staff present: Thomas Gregory
 Public members present: Kelly Hammargren, Donna, Maria Sol, Chris Fendrick, Shirley Kirsten, Robert Byler, Erik Knaresboro, Sandy Z., and Rachel Longan
4. Public Comments
 Fendrick emphasized the importance of keeping mis-parked micromobility devices from becoming barriers to accessing sidewalks and ramps, the public right-of-way, and asked about CoD's role finding a solution.
5. Approval of draft minutes: July 8, 2026 and May 13, 2026 meetings
 "...to approve the May 2026 draft minutes with the following edit, proposed by Walsh: delete the final seven words of the first sentence of the first paragraph of the Commissioner Reports/Announcements section." Moved by: Fischer. Seconded by: Coleman. Ayes: unanimous. The motion passes.

 "...to approve the July 2026 draft minutes." Moved by: Lewkowicz. Seconded by: Sun. Ayes: unanimous. The motion passes.
6. Approval: Order of Agenda
 "...to approve the draft agenda." Moved by: Coleman. Seconded by: Nisen. Ayes: unanimous. The motion passes.

Discussion/Action Items

7. Update on CoD and Public Works discussions on including PROWAG in the City bid and contracting process.

Fischer reported that the process between CoD's PROWAG ad hoc committee and

Public Works (PW) is ongoing and read aloud Transportation Mgr. Mark Helmbrecht's communication on the subject.

Fischer also suggested that CoD make two recommendations to Council to use the City's Report & Pay webpage (AKA 311 Online) to report: 1) PROWAG violations during construction; and 2) e-scooter and other micromobility devices that create dangerous conditions in the public right-of-way.

The discussion turned to the related issue of mis-parked e-scooter/micromobility devices as dangers in the public right-of-way. Walsh suggested that CoD consider how these reports will be tracked by staff.

Sun noted that she has reported micromobility issues in the past and that the existing complaint-driven system does not effectively address the problem. In addition, reporting is not easily accomplished. She noted that Sacramento fines scooter operators for their customers parking violations, which can then be collected from the user. This provides an incentive for operators to enforce/follow up on violations and for users to park correctly.

Fischer said that CM Tregub recently introduced a new policy on micromobility parking enforcement that relies on education and more parking corrals, noting that it is unlikely Council would implement a new approach until CM Tregub's proposal proves insufficient.

Coleman suggested that CoD inquire into the benchmarks the City will use to determine progress under CM Tregub's approach.

Public comment

Byler said that he has been tracking and reporting micromobility-related problems for 2.5 years. He had seen disabled pedestrians injured and needing help. He believes that Council has not been taking the issue seriously enough, indicating that fines might be the only way to change behavior. Berkeley_Scooterland, Byler's Instagram, documents Berkeley's e-scooter wasteland. He welcomes info and collaboration with others and can be reached at byler510@gmail.com.

Knarborough commended Byler's advocacy efforts and said that CoD needs to impress upon the City that these barriers to the public right-of-way are unlawful.

Hammergren expressed her appreciation that CoD and community members were discussing these micromobility-related access barriers.

A motion made "...to establish an ad hoc committee on micromobility policy review consisting of Commissioners Coleman, Mann, Sun, and Nisen." Moved by: Fischer. Seconded by: Lewkowicz. Ayes: unanimous. The motion passes.

8. Developing accessibility guidelines for electric vehicle (EV) charging that impacts the public right-of-way, e.g., when cables cross sidewalks.

Fischer read aloud language from Oakland's recently issued guidance on running EV charging cords across sidewalks from an Oakland document that staff provided as a potential model for Berkeley. The following concerns were identified:

-- Regarding "All cord covers...[s]hall be on sidewalks with a running grade of 5% or less," Fischer noted that this standard would preclude many Berkeley Hills. Mann introduced the possibility of using a charge arm that brings the cord up and over the sidewalk.

-- Regarding "all cords, cord covers, and other equipment must be removed from public space when an active EV charging is complete and in all cases within 24 hours of beginning a charge," commissioners agreed that the City should use a time limit less than 24 hours.

-- Regarding "Shall be constructed of sturdy material that should not flex noticeably under a 200-pound point load," Fischer pointed out that her power wheelchair weighs 400 pounds unoccupied.

-- Regarding "If the material used does not possess a slip resistant property, apply a non-slip coating (available at a hardware or home improvement store), preferably bright yellow," Fischer recommended that City rules require cord covers that are already slip resistant when purchased.

Commissioners felt that the Oakland guidance was a good basis on which to model a Berkeley policy.

Public comment

Sandy Z., a Berkeley homeowner and EV owner, indicated that there is currently no legal path for a Berkeley EV owner to run a cable across a sidewalk in order to charge an EV. He said that Oakland's approach was simple and ADA-compliant and would be a good basis on which to model a Berkeley approach.

9. Hopkins Street redesign: ways for the CoD to proceed

Fischer said that she believes that the CoD's best approach is to propose specific recommendations during the input and design phases of the project. CoD's input should focus on known hazards and challenges: the danger to blind/low-vision pedestrians, safe parking for wheelchair vans with ramps, loading zones for paratransit, etc. She reported that, to-date, PROWAG/ADA-based law suits have resulted in added accessible parking spots, but have not stopped curbside or protected bike lanes.

10. Work Plan Updates and Developments

Commissioner Reports/Announcements

The Disability Film Festival, hosted by the Disability Cultural Center in San Francisco, is this week.

Nisen: next week is Disability Voting Rights Week.

Staff Updates

- 11. Log of Access Complaints
- 12. Email and voicemail sent to the Commission

Adjournment at 7:31pm

Minutes approved by CoD vote on: _____

Thomas Gregory, Secretary to Commission



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To: Honorable Mayor and Members of the City Council

From: Commission on Disability

Submitted by: Rena Fischer, Chairperson, Commission on Disability

Subject: Add e-Scooter/Micromobility Obstruction Reporting to the City's Report & Pay Webpage

RECOMMENDATION

Direct the City Manager to establish on the City's Report & Pay webpage (AKA 311 Online) a "Report a shared scooter/micromobility obstruction" (or similar option) for improperly parked, abandoned, or tipped over shared scooters, e-bikes, and similar micromobility devices that obstruct or impede safe and accessible use of sidewalks, curb ramps, accessible parking or access aisles, transit boarding areas, building entrances, bike lanes, or other critical portions of the public right-of-way.

RATIONALE FOR RECOMMENDATION

Berkeley's Report & Pay webpage is a robust and effective online reporting tool. It offers dedicated categories for many common public-right-of-way service issues, including sidewalk problems, potholes, and illegal dumping, but it does not presently list a dedicated micromobility category. Instead, the City's Shared Bikes and Scooters webpage has separate reporting instructions.

The current reporting structure is insufficient and, ironically, particularly difficult for people with disabilities to use, instructing the reporter to identify the "scooter ID number (take a photo of the QR code on the handlebar), and a photo of how the scooter is parked." It may be difficult or impossible for a blind/low-vision pedestrian to visually identify a QR code. The accessibility problem became particularly apparent when the current reporting procedure was announced at a gathering at the East Bay Center for the Blind. It is also frequently impossible for a wheelchair or other mobility-device user to photograph the QR code on a tipped scooter. The current system is burdensome and ineffective.

This fragmented approach makes a time-sensitive accessibility complaint difficult to report -- *especially for people with disabilities*, and it does not take advantage of the City's existing 311/CRM platform. The gap is especially important because Berkeley's current Shared Electric Micromobility Permit Program depends on reported complaints to initiate removal of the problematic device. This recommendation helps to create a

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clear operational chain: Berkeley's micromobility rules → the City's reporting system → the problem being fixed.

A person encountering a scooter across a curb ramp or sidewalk must be easily able to report the problem. That is not true today; the current system is unacceptable. The reporting system has not caught up with requirements. Problem e-scooters are frequently complained about – but infrequently correctly reported and “fixes” are long delayed.

The recommended change would also improve enforcement data. The City's current operator permit requires a timely complaint response and expressly references complaints received through Berkeley's internal systems. This recommendation can timestamp reports, classify ADA-related complaints, capture map locations, route requests consistently, and preserve a searchable record. This allows the City to distinguish isolated events from repeat hot spots, evaluate operator performance, and identify locations where parking corrals, geofencing, signage, or other interventions are needed. It would also give the City better data to determine whether the permit holder's response-time requirements are actually being met.

The proposal is consistent with the March 10, 2026 Tregub/Blackaby Council referral that identified improperly parked devices blocking sidewalks, curb ramps, transit access, crosswalk approaches, and BART access as a recurring concern. It stated that Berkeley lacked a clear publicly accessible reporting channel specific to micromobility, and recommended clear ways for people with disabilities and other residents to report issues quickly and easily. It also recommended centralizing City website information and incident-reporting tools.

This recommendation directly supports those findings, adding micromobility to Report & Pay rather than requiring the public to navigate a separate reporting process.

FISCAL IMPACTS OF RECOMMENDATION

Berkeley already operates and supports the current Report & Pay/311 CRM system under existing contracts, so the recommended change is principally a configuration and work flow project. The work should be achievable with existing staff and vendor support. is supported under the City's existing contracts. A preliminary planning cost is \$6000. This is an estimate, not a vendor quote. Ongoing fiscal impact should be minimal.

CURRENT SITUATION AND ITS EFFECTS

This recommendation is a Strategic Plan Priority Project, advancing our goals in three areas, to:

- provide state-of-the-art, well-maintained infrastructure, amenities, and facilities;

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- be a global leader in addressing climate change, advancing environmental justice, and protecting the environment; and
- be a customer-focused organization that provides excellent, timely, easily-accessible service and information to the community.

Micromobility devices, including e-scooters, bikes and e-bikes, are common all over Berkeley, providing convenient, low-emission transportation. There is a substantial shared fleet and, with it, documented, recurring complaints about improperly parked devices blocking sidewalks and access points. Devices obstruct sidewalks, curb ramps, transit access, crosswalk approaches, and entrances, creating particularly dangerous hazards for people with disabilities, especially blind/low-vision pedestrians, wheelchair and other mobility-device users, seniors, and others who depend on a clear and predictable pedestrian route.

Increasingly, improperly parked devices are cited by people with disabilities and other residents as a form of visual and functional blight in the urban landscape. Shared scooters left on their sides, scattered across sidewalks, clustered outside of parking areas, or dangerously blocking pedestrian routes create disorder -- while degrading the actual usability of the public right-of-way.

Unlike ordinary visual clutter, this condition has immediate consequences: a single device can block an accessible pedestrian route. For blind and low-vision pedestrians, low or irregularly positioned devices create difficult-to-detect obstacles that result in often serious trips and falls. They are hazards. Repeated obstructions also undermine confidence that parking requirements are being enforced. It turns a valuable, green, sustainable transportation service into a constant source of conflict over use of the public right-of-way. This recommendation can be part of a solution.

Berkeley has strengthened its operator requirements. The current 2026 Shared Electric Micromobility Permit Program requires operators to resolve ADA-related complaints within two hours and non-ADA complaints within three hours during operating periods, with fines of \$150/\$50 for non-compliance. It also specifically addresses complaints routed through Berkeley's internal systems. The current reporting system has not caught up with those requirements. A dedicated Report & Pay/311 option would make the existing rules easier for residents to use -- and easier for the City to administer, audit, and enforce.

This gap has immediate effects on accessibility. E-scooters on sidewalks have already resulted in falls. Blind/low-vision pedestrian are particularly at risk for injury. Complaints have come to the Commission on Disability, the East Bay Center for the Blind, and the City's ADA Program Coordinator. A scooter left across a curb ramp can prevent a wheelchair user from entering or leaving the sidewalk; and a device in an accessible parking access aisle or transit boarding area can make the facility unusable.

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Given the problems with the current system, this recommendation will establish a more effective and accessible reporting tool. It will not by itself solve the problem, but it is a practical and relatively low-cost step toward “faster fixes.” It will increase our safety, sidewalk accessibility and operator accountability.

BACKGROUND

The Tregub/Blackaby referral, “Strengthen Berkeley’s Micromobility Regulatory Framework to Improve Public Safety, ADA Accessibility, and Operator Accountability” identified the need for clear reporting channels and centralizing the City’s micromobility information, rules, safety guidance, maps, and reporting instructions in an easy-to-find location.

The technological foundation for this recommendation already exists. Report & Pay already facilitates use of attached photos, location input or dropped pins. The 2026 permit states that complaints counted toward the compliance rate should contain at least two of three items: address/location, device ID, and a photograph. The online form should strongly prompt for all three while treating only location and basic issue classification as essential to intake. This distinction is important for accessibility: a reporter should not be prevented from notifying the City simply because the person cannot visually identify a QR code or take a usable photograph.

1. Configure the request so that reports are routed promptly to the Shared Mobility Program and the responsible operator. [WHAT ABOUT PRIVATELY OWNED DEVICES? ...and so that other or unknown devices can be routed to the appropriate City work unit under existing policies.]
2. Include a specific “ADA/access obstruction” selection that mirrors the City’s Shared Electric Micromobility Permit Program categories and flags the request for the permit’s expedited ADA-related response standard of two hours.
3. Require a precise location or map pin and the type of obstruction. Ask for the operator name, device ID, photograph, and comments when available, but do not require a photograph or device ID as a condition of submitting a report. The form should remain usable by people who cannot safely approach, identify, or photograph a device, including blind and low-vision pedestrians and some mobility-device users.

For reports that do not initially contain sufficient information to qualify for operator-compliance measurement under the permit, staff should establish a verification process that allows City staff or the operator to supply or confirm missing information when feasible. A person should not be prevented from reporting an accessibility obstruction because the person cannot safely obtain a device ID or photograph.

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4. Provide the reporter with the same follow up information and status updates available for other reporting categories.
5. Configure the intake data so the City can track complaint volume, location, response time, ADA-related complaints, repeat problem areas, and operator compliance.
6. Add a direct link to the new reporting option from the City's Shared Bikes and Scooters webpage. In addition, incorporate this reporting option into phone-based 311 reporting so that the online portal supplements rather than replaces accessible non-digital options.

The City is not being asked to create a new reporting infrastructure, but use its designated public reporting infrastructure for a problem that currently sits outside it.

ALTERNATIVE ACTIONS CONSIDERED

Maintain the current reporting system. The City could continue relying on the Shared Bikes and Scooters webpage, operator telephone/email contacts. Maintaining the current system would preserve a fragmented reporting process and continue to place the burden on residents to locate a separate reporting procedure outside of the City's primary Report & Pay system.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There is no adverse environmental impact. Well-managed micromobility supports Berkeley's climate and transportation goals by providing low-emission alternatives. Making obstruction reporting easier will help preserve public acceptance of micromobility while protecting pedestrian access.

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.

Note: If the City Manager does not (a) concur, (b) takes any other position, or (c) refer to the budget process, a council action report must be prepared. Indicate under the CITY MANAGER heading, "See companion report."

CONTACT PERSON

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

October2026 - 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.

9/29/26:

2. PROWAG violations (lack of compliant detour or diversion) reported at the NW corner of Haste/Telegraph and the nearby NW corner of Dwight/Telegraph. Staff will contact relevant contractors verify violations and to instruct them to remediate violations.

*9/16/26:

5. Via EBCLC personnel, a John Doe with no contact info reports that he is a person with a disability and that his property was stolen by a City contractor. Staff have reached out to EBCLC for further info and/or to be put in contact with John Doe.

9/12/26:

2. Construction site at Telegraph/Stuart impeding sidewalk in violation of PROWAG due to lack of a diversion or a detour accompanied by required signage and audible signals. On 9/16 staff contacted the relevant contract to inform them that they need to remediate the condition and how to do so. Staff do not yet deem that a solution has been implemented.

9/10/26:

2. The slope of sidewalk adjacent to an on-street accessible parking space near 840 Colusa (Thousand Oaks Elementary School) is reportedly too steep. The City does not yet deem that a solution has been implemented. Per the complainant's request, staff have offered times at which to meet the complainant at the site to assess conditions there.

8/14/26:

2. Construction site on west side of Adeline immediately north of 2910 Adeline is impeding the sidewalk; while a diversion is in place, it does not feature audible signals and therefore violates PROWAG. The City does not yet deem that a solution has been implemented. Staff will require the relevant contractor to remediate the issue as soon as possible.

8/9/26:

2. Utility vault in newly poured sidewalk on Russell Street at Sylvia Mendez School creates an unbeveled 1" change in elevation within the pedestrian right-of-way. The City does not yet deem that a solution has been implemented. Staff will require the relevant contractor to remediate the issue as soon as practicable.

4/23/26:

2. Construction site "at about 2110 Adeline St." blocking sidewalk in a manner not compliant with PROWAG. Staff determined that no 2110 Adeline address exists within City and subsequently requested further info from complainant. Update: the non-compliant site is immediately north of 2910 Adeline.

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.

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.

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 govt's April2026 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 Dec2025, 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 April 2026. 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: 62.

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.

Issue: on-street blue spots on the left-hand side of one-way streets endanger placard holders who exit their vehicle via a passenger-side lift as the placard holder will be in/near an active traffic lane when they exit the vehicle.

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

Issue: Protected bike lanes, such as the cycle tracks proposed for Hopkins Street, are dangerous and reportedly inaccessible for many people with disabilities, and so the City should conclude that such designs are not consistent with or compliant with ADA obligations and should, therefore, avoid such designs.

Approximate number of such complaints lodged since 9/10/25: 5.

Issue: UC Theatre on University Avenue too frequently gets the City's permission to reserve parking spaces in front of the venue's entrance.

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

Issue: The amount of time the City takes to process applications for building permits should be reduced vis a vis applicants who are pregnant and/or have injuries as the waiting time can be especially difficult for such applicants.

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

Email subject line: Citizen comment for Commission on Disability Meeting of September 9, 2026

Time received: 9/9/26 at 7:00pm

Hello,

Would you please forward this email to the Commission on Disability members?

Thanks.

I wanted to thank you for discussing the item regarding EV charging cables passing across sidewalks. It appeared that the Commission is generally looking favorably at Oakland's solution.

Also thanks for allowing me to speak. I hope you will feel free to communicate with me as you decide how to respond to this.

If you are further interested in this topic, you might enjoy this white paper from UC Berkeley Law, Center for Law, Energy, and the Environment. It discusses the current "state of the art" and includes reference to both Oakland's new program and the previous unsuccessful program that Berkeley implemented.

[Case Studies: City Public & Curbside EV Charging Strategies](#)

Best wishes and thanks for your work for Berkeley,

Sandy Zirulnik

Commissioner Helen Walsh Written Comments for Public Record

Agenda Item 9 Review of DPW's 8/17/26 Hopkins Street Accessibility/Title II Memo

Chair Fischer and fellow Commissioners,

Thank you for providing the Department of Public Works memo dated August 17, 2026. I appreciate the opportunity to review this material in advance of our discussion. I am submitting the following comments for the public record in my capacity as a Commissioner on the Berkeley Commission on Disability.

I am reviewing this memo through a Title II program-access lens and through the lived-experience realities of disabled residents, elders, blind and low-vision pedestrians, wheelchair-van users, paratransit riders, and others who rely on predictable curb access along Hopkins Street. My comments focus on areas where the memo is accurate, where additional clarity is needed, and where functional accessibility commitments must be strengthened.

1. Cycle-Track Conflict Points

The memo references PROWAG and Caltrans Class IV standards, but does not address the functional accessibility impacts of having two one-way curbside protected cycle tracks. This design introduces multiple conflict points for disabled pedestrians, blind and low-vision travelers, elders, and paratransit users. To ensure Title II program access, the City should evaluate predictable crossing geometry, bicycle speed management, sightlines, pedestrian priority, and the cumulative effect of crossing two moving corridors.

2. Floating Accessible Parking and Ramp Deployment

The memo's reference to a 5-foot buffer adjacent to accessible parking is technically accurate but functionally insufficient for wheelchair-van ramp deployment. A side-entry ramp cannot safely deploy into an active cycle track. Accessible parking should prioritize locations where ramps deploy directly onto the sidewalk, protected landing areas outside the cycle track, full maneuvering diagrams, and accessible spaces on intersecting streets where direct sidewalk

access is possible. Floating accessible parking should be avoided unless no other option exists.

3. Paratransit and Passenger Loading

The memo does not address how paratransit vehicles will safely operate along Hopkins after the redesign. Paratransit is origin-to-destination service, meaning vehicles may need to stop anywhere along the corridor to pick up or drop off riders who live on Hopkins, live on intersecting streets, or are visiting destinations such as Monterey Market, King Pool, the library, or medical offices. Because paratransit does not have fixed stops, the redesign must ensure that vehicles can legally and safely pull over, deploy lifts or ramps, and assist passengers without placing them in the cycle track or in moving traffic. Protected loading and landing areas and direct sidewalk access are essential Title II program-access requirements.

4. Transit Islands and Raised Crossings

Raised crossings alone do not ensure accessibility for blind or low-vision pedestrians. Transit island crossings should include tactile directional surfaces, detectable warnings at the correct grade break, bicycle speed management approaching the crossing, unobstructed sightlines, and clear pedestrian priority.

5. Accessible Pedestrian Signals (APS)

APS should be provided at every signalized crossing within the project limits, not only where signals are modified. APS placement must be on the pedestrian desire line and must clearly indicate the intended crossing movement, especially in the presence of cycle tracks and transit islands.

6. Construction-Phase Accessibility

The memo does not address construction-phase accessibility, which is where public right-of-way access most often collapses. The City should commit to equivalent pedestrian access on the same side of the street during construction, accessible temporary surfaces, cane-detectable barriers, and prohibiting detours into bike lanes or traffic. Construction is a Title II obligation, not a pause in accessibility.

7. Functional Accessibility Review

Technical compliance does not guarantee usability. The memo should include commitments to specialist review at 50 percent and final design, review by wheelchair users and blind or low-vision pedestrians, field-tested mockups of

accessible parking, transit islands, and cycle-track crossings, and post-construction verification of functional accessibility.

Closing Statement

The memo provides a useful starting point, but several functional gaps remain. Strengthening the commitments in the areas above will help ensure that the Hopkins Street redesign meets Title II obligations and supports safe, predictable access for disabled residents, elders, blind pedestrians, wheelchair-van users, and paratransit riders who rely on this corridor every day.

I look forward to discussing these issues with the Commission tonight.

Respectfully submitted,

Commissioner Helen Walsh

Berkeley Commission on Disability